



**NOTICE OF AGENDA**  
**TWIN FALLS CITY PLANNING & ZONING COMMISSION**  
**November 08, 2016 6:00 PM**  
City Council Chambers  
305 3<sup>rd</sup> Avenue East Twin Falls, ID 83301

**PLANNING & ZONING COMMISSION MEMBERS**

**CITY LIMITS:**

Danielle Dawson Tom Frank Kevin Grey Gerardo "Tato" Muñoz Ed Musser Christopher Reid Jolinda Tatum  
Chairman Vice-Chairman

**AREA OF IMPACT:**

Ryan Higley Steve Woods

**I. CALL MEETING TO ORDER:**

1. Confirmation of quorum
2. Introduction of staff

**II. CONSENT CALENDAR:**

1. Approval of Minutes from the following meeting(s): **October 25, 2016 PH**
2. Approval of Findings of Fact and Conclusions of Law:
  - Funderburg (SUP 10-25-16)
  - Riebesell (SUP 10-25-160)
  - Meadows West Subd-a PUD (10-25-16 Pre-plat)

**III. ITEMS OF CONSIDERATION:**

1. **Preliminary ZDA Presentation** requesting the Commission's recommendation for a Zoning District Change and Zoning Map Amendment from C-1 PUD to C-1 ZDA, to develop a hotel with a maximum height of 55 feet on 2.14 +/- acres located east of the Fairfield Inn, 1788 Washington St N. c/o Gerald Martens on behalf of Westpark Partners.

**IV. PUBLIC HEARINGS:**

1. Requests a **Special Use Permit** to allow the sale of alcohol for consumption on premises in conjunction with a grocery store/restaurant on property located at 850 Shoshone Street West. c/o Clarisa Sandoval (app. 2821)
2. Requests a **Special Use Permit** to construct a 2500 sq. ft. detached accessory building consisting of a 1500 sq. ft. (30'x 50') building plus 600 sq. ft. (20'x30') covered parking and 400 sq. ft. (20'x20') covered porch on property located at 3350 East 4000 North in the Area of Impact. c/o Scott Elison (app. 2822)
3. Requests for a **Zoning District Change and Zoning Map amendment** from R-4 to C-1 for the undeveloped property on Filer Avenue West and located west of 515 Washington Street North. c/o Dan & Troy Willie on behalf of Oasis Stop N Go (app.2823)
4. Requests for a **Special Use Permit** to expand by more than 25% an existing convenience store/gas station on property located at 515 Washington Street North. c/o Dan & Troy Willie on behalf of Oasis Stop N Go (app.2824)
5. Requests for a **Special Use Permit** to expand by more than 25% an existing convenience store/gas station on property located at 890 Washington Street South. c/o Dan & Troy Willie on behalf of Oasis Stop N Go (app.2825)

**V. GENERAL PUBLIC INPUT:**

**VI. ITEMS FROM THE ZONING DEVELOPMENT MANAGER AND/OR THE PLANNING & ZONING COMMISSION:**

**VII. UPCOMING PUBLIC MEETINGS:** (held at the City Council Chamber unless otherwise posted)

1. Public Hearing- **November 22, 2016-Cancelled**
2. Work Session- **December 7, 2016 WS-Cancelled**
3. Public Hearing- **December 13, 2016**

**VIII. ADJOURN MEETING:**

Si desea esta información en español, llame Leila Sanchez al (208) 735-7287  
Any person(s) needing special accommodations to participate in the above noticed meeting should contact Lisa A. Strickland at  
(208) 735-7267 at least two (2) working days before the meeting.

**CITY OF TWIN FALLS  
PLANNING & ZONING COMMISSION**

**Public Hearing Procedures for Zoning Requests**

1. Prior to opening the public meeting, the Chairman shall review the public hearing procedures, confirm a quorum is present and introduce staff present.
2. Individuals wishing to testify or speak before the Commission shall wait to be recognized by the Chairman, approach the microphone/podium, state their name and address, then commence with their comments. Following their statements, they shall write their name and address on the Sign-In record sheet(s) located on a separate table near the entrance of the chambers. The administrative assistant shall make an audio recording of each public meeting.
3. **The Applicant, or the spokesperson for the Applicant, shall make a presentation** on the application/request. No changes to the request may be made by the applicant after the publication of the Notice of Public Hearing – WHICH IS A MINIMUM OF 15 DAYS PRIOR TO PUBLIC HEARING. **The applicant's presentation should include the following:**
  - **A complete explanation and description of the request.**
  - **Why the request is being made.**
  - **Location of the Property.**
  - **Impacts on the surrounding properties and efforts to mitigate those impacts.**

The Applicant is limited to 15 minutes, unless a written request for additional time is received and granted by the Chairman prior to commencement of the public meeting.

4. Upon completion of the applicant's presentation City Staff will present a staff report which shall summarize the application/request, history of the property, if any, staff analysis of the request and any recommendations.
  - **The Commission may ask questions of staff or the applicant pertaining to the request at this time.**
5. The public will then be given the opportunity to provide public testimony/input/comments regarding the request.
  - **The Chairman may limit public testimony to no more than two (2) minutes per person.**
  - **Five (5) or more individuals, having received personal public notice of the application under consideration, may select a spokesperson by written petition. The spokesperson shall be limited to 15 minutes.**
  - **No written comments, including e-mail, received after 12:00 o'clock noon on the date of the hearing will be accepted for consideration by the hearing body. Written comments, including e-mail, received by 12:00 o'clock noon or before the date of the hearing shall be either read into the record or displayed on the overhead projector either during or upon the completion of public comment.**
  - **Following the Public Testimony, the applicant is permitted a maximum five (5) minutes rebuttal to respond to Public Testimony.**
6. Following the Public Testimony and Applicant's response, the Public Input portion of the public hearing shall be closed-**No further public testimony is permitted.** Commission Members, as recognized by the Chairman, shall be allowed to request clarification of any public testimony received of the Applicant, Staff or any person who has testified. The Chairman may again establish time limits.
7. The Chairman shall then close the Public Hearing. The Commission shall deliberate on the request. Deliberations and decisions shall be based upon the information and testimony provided during the Public Hearing. **Once the Public Hearing is closed, additional testimony from the staff, applicant or public is not allowed.** Legal or procedural questions may be directed to the City Attorney.

**\*\* Any person not conforming to the above rules may be prohibited from speaking. Persons refusing to comply with such prohibitions may be asked to leave the hearing and thereafter removed from the room by order of the Chairman.**



**NOTICE OF AGENDA**  
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**October 25, 2016 6:00 PM**  
City Council Chambers  
305 3<sup>rd</sup> Avenue East Twin Falls, ID 83301

**PLANNING & ZONING COMMISSION MEMBERS**

**CITY LIMITS:**

Danielle Dawson Tom Frank Kevin Grey Gerardo "Tato" Muñoz Ed Musser Christopher Reid Jolinda Tatum  
Chairman Vice-Chairman

**AREA OF IMPACT:**

Ryan Higley Steve Woods

**ATTENDANCE**

**CITY LIMIT MEMBERS**

**PRESENT**

Frank  
Grey  
Muñoz  
Reid  
Tatum

**ABSENT**

Dawson  
Musser

**AREA OF IMPACT MEMBERS**

**PRESENT**

Higley

**ABSENT**

Wood

**CITY STAFF:** Carraway-Johnson, O'Connor, Nope, Spendlove, Strickland

**I. CALL MEETING TO ORDER:**

Chairman Frank called the meeting to order at 6:00 P.M. He then reviewed the public meeting procedures with the audience, confirmed there was a quorum present and introduced City Staff.

**II. CONSENT CALENDAR:**

1. Approval of Minutes from the following meeting(s): [10-11-16 PH](#)
2. Approval of Findings of Fact and Conclusions of Law:
  - Canyon Village Subd No. 3 (Pre-Plat 10-11-16)
  - First Presbyterian/Acorn Learning Center (SUP 10-11-16)
  - Party Center-Mason (SUP 10-11-16)

**Motion:**

Commissioner Grey made a motion to approve the consent calendar, as presented. Commissioner Munoz seconded the motion.

**Unanimously Approved**

**ITEMS OF CONSIDERATION:**

3. Request for consideration of the [preliminary plat](#) for Meadow West Subdivision, a PUD, 71.52 acres (+/-) consisting of 290 lots, 278 single family residential lots, 12 neighborhood commercial lots and 5 tracts located on the south side of Falls Avenue West and west side of Grandview Drive North. [c/o Tim Vawser/EHM Engineering, Inc.](#)

**Applicant Presentation:**

Tim Vawser, EHM Engineers, Inc. representing the applicant stated this property went to City Council for a rezone in November 2008. This property is located on the southwest corner of Falls Avenue West and Grandview Drive North. The plan is to have more of a neighborhood commercial and possibly senior housing to the east side of the property and the west portion of the property would be single family residential. The plan is to start on the east end of the property and can take quite some time to build out completely.

Gary Wolverton, stated the original name for the development was Silverstone and has since been changed to Meadows West. He reviewed on the overhead the development map explaining the location of this property and how the area has developed up to this point in time. The Comprehensive Plan allows for neighborhood commercial and residential. This will not be big box commercial and will most likely be small commercial that supports neighborhoods such as doctors' offices, dry cleaners etc. the economy does drive this type of development so it will probably be some time before development occurs. The first portion of residential to develop will be designed for a more active senior type housing. This has been a request from citizens because of the proximity to shopping and medical facilities. The maximum size of the commercial buildings is 20,000 sq. ft. and the design will complement the residential. Locust Grove is a similar size as this area shown in this plan. The active lifestyle cottages for over 50, will be made available for retirees that want a single family home with less upkeep, it consists of approximately 9 acres. Located west of the active lifestyle area there will be a park area. To the west of the park will be single family residential similar to what is going on in the area. Along the far west of the property there will be 16,000 sq. ft. lots. This will most likely take around 8-10 years to develop.

**Staff Presentation:**

Planner I Spendlove reviewed on the request on the overhead and stated for clarification that the zoning was approved by the City Council in 2008. The preliminary plat is what is being brought forward this evening and the commission is responsible for determining whether or not the preliminary plat meets the conditions as approved in the PUD.

Specific conditions placed by the City Council required a pedestrian path be installed by the developer connecting the proposed park with Grandview Drive North. The Preliminary Plat has such connection, however, it is City Staff's judgement the displayed location is not the safest location due to the curvature of the roadway. Staff recommends the path not cross Summer Mist Drive as depicted but stay on the south side of Summer Mist Drive running east/west between Grandview Drive and the Park.

Also during the Staff review process, lot 27 of block 3 was identified as having a Driveway access issue. City Code 10-11-4 – (E)- 3-a: "There shall be...at least eighteen feet (18') of straight curb between the end of a driveway and the end of a corner radius...". Due to the configuration and dimension of this lot, it has the potential of being undevelopable due to inadequate access to the public roadway. If adequate access cannot be accomplished, Staff recommends the possible removal of that lot by increasing the surrounding lot sizes, or creating a greenbelt area for the trail to the park.

This is the first step of the plat approval process. A preliminary plat is presented to the planning and zoning commission. The commission may approve the preliminary plat, deny it, or approve it with conditions. A final plat, that is in conformance with the approved preliminary plat and including any conditions the commission may have required, is then presented to the city council. Only after a final plat has been approved by the city council and construction plans approved, may the plat be recorded and lots sold for development.

This request is in conformance with the comprehensive plan, the Draft PUD Agreement and the requirements found in twin falls city code.

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**Chairman Frank read into the record a citizen response to this request.**

Planner I Spendlove reviewed the City Engineer Fields response to the citizen letter. The letter explained the currently the intersection of Grandview Drive and Falls Avenue do warrant a traffic signal, however as development occurs in this area and gets closer to build out a traffic signal may be warranted. As this light may be entirely growth related it could be that the traffic signal could be an appropriate candidate for the use of impact fees and the entire community would benefit.

Planner I Spendlove stated upon conclusion staff recommends the commission approve the preliminary plat of the Meadow West Subdivision, a PUD, as presented, and subject to the following conditions:

1. Subject to final technical review and amendments as required by building, engineering, fire, and zoning officials to ensure compliance with all applicable city code requirements and standards.
2. Subject to development of the ten foot (10') pedestrian pathway crossing from the park (Tract A) to Grandview Drive North being relocated to adequately address safety concerns, and approved per City Engineer.
3. Subject to adequate driveway access to Lot 27 Block 3 being provided, or an alternative solution being provided to address the access issue, and approved per City Staff.
4. Subject to the Meadow West PUD Agreement being approved and recorded prior to recordation of the final plat.

**P&Z Questions/Comments:**

- Commissioner Grey asked about lot 27 on Blk 3 and the elimination of the lot.
- Planner I Spendlove explained staff requires that the plat meet the code requirement for access and this will be reviewed at the final plat stage.
- Commissioner Grey asked when the traffic study would need to be done.
- Planner I Spendlove explained upon development or change of use of the property.
- Commissioner Munoz asked about access to the park to minimize the walk to the park.
- Mr. Vawser showed on the overhead the location of access to the park, he also stated they will work with staff regarding lot 27 to make it comply with city code. As for a traffic study that would be required at the time of development is appropriate.

**Public Comment: [Opened](#)**

- Shauna Robinson, 824 Rim View Lane E, stated they have lived in this are for 32 years. This area has been quite, low density and yet they are minutes away from town. She is opposed to this request because of the density of the project, traffic this will create in the area and the impact to property values.
- Sandy Thomas, 1777 Wildflower Lane, stated that she disagrees with the traffic studies now that there are two schools in the area and the traffic from the soccer field. There are quite a few streets in this area that dead end and there is going to be to many homes in the area for the road to support.
- Dennis Crawford, 681 Creekside Way, state the infrastructure for this area is not in place to support this kind of growth. He likes the transition of the lots however he would like there to be a condition that the transition lots can't be subdivided. There also needs to be pressurized irrigation installed.

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- Martin Bail, 679 Creekside Way, stated his concern is whether Creekside Way is going to be through street from Falls Avenue to Filer Avenue, and if so what kind of traffic calming will be used to keep traffic at a decent speed and level.

**Public Comment:** [Closed](#)

### Closing Statements:

- Mr. Vawser stated a water model is required and the conditions have to be met for the development to be approved. Both Grandview Drive and Falls Avenue will have to be widened according to the City's Master Transportation Plan. The traffic studies will require safe intersections to move forward. Creekside Way is a collector on the Master Transportation plan and is also on the Parks & Recreation designated trail system which will require a 10 ft. walking path along Creekside Way to keep pedestrians of traffic way and make it safer. It will neck down as it connects to Castlewood. Irrigation that is delivered to the subdivision west of this property comes from a gate structure to the north. The regional PI station is planned to be in Perrine Point Subdivision. Mr. Wolverton and his partner own Sunterra and they have already dedicated a per acre share to the regional station and will also be required to dedicate a per acre share for this subdivision also. The regional station is not cheap but will help with all of the subdivisions in this area and they will use Twin Falls Canal Company water for watering their lawns. As for wells he has no idea how this will impact them but surface irrigation will be important as this is developed.
- Mr. Wolverton, explained Perrine Point is another 80-acre subdivision to the north of this property and is allowed to have a much higher density. The Sunterra development has 300 lots, Rock Creek Trail Estates does have the 16,000 sq. ft. lot adjacent to it and this development has a smaller density than the remaining developments.

### Deliberations Followed:

- Commissioner Reid asked for clarification on subdivision of the 16,000 sq. ft. lots.
- Planner I Spendlove explained this would require an amendment to the PUD in order for a subdivision to come through for one of these lots.
- Commissioner Grey asked about a condition requiring a four-way stop be installed when Grandview Drive North and Falls Avenue West are widened.
- Planner I Spendlove the Commission cannot add a condition for a four-way stop to the preliminary plat.
- Commissioner Tatum recommended that the citizens concerned with the traffic to contact the City Engineering Department.
- Commissioner Munoz explained the Commission is reviewing the plat for compliance with code.
- Commissioner Grey explained he understands; however, he does agree with the citizens' concerns.
- Commissioner Reid explained traffic seems to be an issue, he would ask that Engineering review these issues.
- Commissioner Higley explained he is not too thrilled with the density; however, the decision tonight is regarding the preliminary plat.
- Commissioner Frank explained the density makes since for the area and is similar to what is occurring in this part of town.

### Motion:

Commissioner Tatum made a motion to approve the request, as presented, with staff recommendations. Commissioner Munoz seconded the motion. All members present voted in favor of the motion.

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**Approved, As Presented, With the Following Conditions**

1. Subject to final technical review and amendments as required by building, engineering, fire, and zoning officials to ensure compliance with all applicable city code requirements and standards.
2. Subject to development of the ten foot (10') pedestrian pathway crossing from the park (Tract A) to Grandview Drive North being relocated to adequately address safety concerns, and approved per City Engineer.
3. Subject to adequate driveway access to Lot 27 Block 3 being provided, or an alternative solution being provided to address the access issue, and approved per City Staff.
4. Subject to the Meadow West PUD Agreement being approved and recorded prior to recordation of the final plat.

**III. PUBLIC HEARINGS:**

1. Requests a **Special Use Permit** to operate a drive-through coffee stand with extended hours of operation on property located at 1328 Filer Avenue East aka Lynwood Shopping Center. c/o Koby Funderburg on behalf of Full Steam, LLC (app. 2819)

**Applicant Presentation:**

Koby Funderburg, the applicant, stated he is here to request a Special Use Permit to allow for a coffee shop. The west side of the building will be a drive through window and the east side of the building will be a walk-up window. This change to the building will require a change to the parking. These changes will impact a small portion of the existing parking however, there will still be ample parking. The coffee shop should not have any negative impacts to the area.

**Staff Presentation:**

Planner I Spendlove, reviewed on the overhead the request and stated Ordinance 2012 was passed in 1981, it created the zoning districts we currently use, and zoned various properties within City Limits. The new zoning designations were assigned at that time, or when areas were annexed. This small building used to contain a Wells Fargo ATM, it is not known exactly when it was vacated.

The special Use permit is for the operation of a drive thru coffee shop. The applicant has supplied a narrative that describes the drive thru facility detailing the number of employees and hours of operation as 6 AM to 9PM Monday thru Sunday. The proposed plan is to install a one lane drive through using the old ATM building with the other side as a walk-up window.

Per City Code 10-4-8.2: Any facility with a drive-through service requires a special use permit prior to being legally established. The major impacts of this particular project are going to be traffic, noise, and light. These items should be explored further to determine their extent.

Per City Code 10-10: Actual parking requirements are reviewed and determined at the time of building permit submittal. It is anticipated that the site plan shown will meet the applicable City Code requirements. It is not anticipated that additional parking spaces will be needed for the proposed special use.

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Staff did conduct a preliminary review of total parking spaces impacted by this development on the entire Lynwood Shopping Center. This project will be removing some parking spaces, and that will impact the developments available spaces. During our preliminary review, it was found with recent changes in tenants and an overall cross-use agreement for parking, this project would not overly impact the parking as a whole. However, it will reduce the number of spaces in the immediate area and there will be a learning curve for longtime patrons of the surrounding businesses.

Per City Code 10-11-1 thru 8: All the required improvements will be reviewed for compliance with current city code at the time of building permit submittal. Some of these improvements include screening, access, parking surface, streets, storm water retention, utilities, and others. It is not anticipated this project will require supplementary improvements to mitigate impacts of this project on the immediate area.

The major impacts of this particular project are going to be noise, light and increased traffic. All of these impacts are typically attributed to vehicles using the drive-thru service. Due to the proximity of Filer Ave East and Blue Lakes Blvd. N, it would be safe to assume that the noise and light generated by this drive-thru would not significantly increase the prevailing conditions found in the area.

Planner I Spendlove stated upon conclusion should the Commission grant this request as presented; city staff recommends approval be subject to the following conditions:

1. Subject to site plan amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with applicable City Code Requirements and Standards.
2. Subject to the new parking scheme being installed and approved by City Staff prior to operation of the drive-thru.

**P&Z Questions/Comments:**

- Commissioner Munoz asked about signage and menu boards.
- Planner I Spendlove stated any signage would have to meet city code and the stacking count has to start where the first stop is located and on the site plan the first stop is at the window.
- Commissioner Reid asked for clarification on the change to the parking and when that will occur.
- Planner I Spendlove explained that will have to occur prior to issuing a Certificate of Occupancy for the building.
- Commissioner Frank asked about the potential tenant for the space.
- Mr. Funderburg stated he is the Manager for the Lynwood but will also be the tenant for this space, so he will be responsible for making sure it is a successful project.
- Commissioner Reid asked about parking and headlights and if they will be pointed toward a residential area.
- Planner I Spendlove explained the area across the street is commercial.

**Public Hearing:** [Opened & Closed Without Comment](#)

**Deliberations Followed:** [Without Concerns](#)

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**Motion:**

Commissioner Tatum made a motion to approve the request, as presented. Commissioner Reid seconded the motion. All members present voted in favor of the motion.

**Approved, As Presented, With the Following Conditions**

1. Subject to site plan amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with applicable City Code Requirements and Standards.
  2. Subject to the new parking scheme being installed and approved by City Staff prior to operation of the drive-thru.
2. Requests for a **Special Use Permit** to construct at 3150 sq. ft. detached accessory building concurrently with construction of a new single family residence on property located at 898 Canyon Rim Road within the area of impact. c/o Bill Riebesell (app. 2820)

**Applicant Presentation:**

Mike Shetler, Shetler Homes, representing the applicant, stated he is here to request a Special Use Permit for a detached accessory building for personal storage. The shop will match the home exterior. He explained that there will be a widening of a portion of the road for fire access to the property.

**Staff Presentation:**

Planner I Spendlove reviewed the request on the overhead and stated this parcel of ground is a remnant of the Government Sections. The zoning on the Property would have been reaffirmed as part of the Area of Impact Agreement with the County that took place in 2004. No further zoning history is known at this time. A building permit was issued for the main residence in May 2016 which is still under construction.

The site is zoned SUI CRO within the Area of Impact. The applicant has supplied a site plan showing a single family residence and a proposed 3150 sq. sf. detached accessory building. The residence is under construction. The applicant describes the building for storage and private use, no residential or commercial activity. If the special use permit is granted the applicant will proceed with development of the detached accessory building as approved.

**Per City Code 10-4-2:** Detached accessory buildings within the SUI Zone greater than 1500 sq. ft. are required to obtain a Special Use Permit prior to being legally constructed. The proposed plan is showing the detached residential garage to the South West of the main residence

**Per City Code 10-11-1 thru 8:** Required improvements include access, drainage and storm water. These required improvements will be evaluated and all applicable code requirements will be enforced at the time of building permit submittal.

Although this property has a Canyon Rim Road address there is no legal access from Canyon Rim Road. It should be noted; City Staff has not received a valid Access Agreement for the use of the private drive from all of the property owners along the private drive. This private drive is immediately west of Canyon Gate Place. It would be appropriate to require written verification from all the property owners on that portion of the private drive in order to confirm legal access through that area. The applicant does have another legal access on the west side of the property via the Section Line Easement aka Grandview Drive North.

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Detached accessory buildings are common for this subdivision, and on property this size it will remain rural in nature. The nearest property line is +/- 70 feet from this proposed accessory structure, the minimum per the SUI zone is 7 feet.

Other than the legal access issue previously disclosed, no further impacts are anticipated to be of the sort that would require additional conditions.

Planner I Spendlove stated upon conclusion should the Commission grant this request as presented; staff recommends approval be subject to the following conditions:

1. Subject to the site plan amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with applicable City Code Requirements and Standards.
2. Subject to construction of the detached accessory building to be consistent with the submitted drawings/elevations, as presented.
3. Subject to personal use by the occupant of the home - no business or residential use within this structure.
4. Subject to written verification of legal access, from Canyon Gate Place to the applicants' property, being provided to City Staff prior to issuance of the Building Permit for the Detached Accessory Building.

**Public Hearing: [Opened](#)**

Dale Tarrant, stated he has no problems with the request he just wanted to make sure the building was not going to be constructed on the back side of the house.

**Public Hearing: [Closed](#)**

**Deliberations Followed: [Without Concerns](#)**

**Motion:**

Commissioner Grey made a motion to approve the request, as presented, with staff recommendations. Commissioner Munoz seconded the motion. All members present voted in favor of the motion.

**[Approved, As Presented, With the following Conditions](#)**

1. Subject to the site plan amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with applicable City Code Requirements and Standards.
2. Subject to construction of the detached accessory building to be consistent with the submitted drawings/elevations, as presented.
3. Subject to personal use by the occupant of the home - no business or residential use within this structure.
4. Subject to written verification of legal access, from Canyon Gate Place to the applicants' property, being provided to City Staff prior to issuance of the Building Permit for the Detached Accessory Building.

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**IV. GENERAL PUBLIC INPUT: None**

**V. ITEMS FROM THE ZONING DEVELOPMENT MANAGER AND/OR THE PLANNING & ZONING COMMISSION:**

- Zoning & Development Manager Carraway-Johnson explained there is a work session on November 2, 2016, and the November 8, 2016 meeting will be a full agenda, because there will not be a public hearing on November 22, 2016. The City Council has reviewed the Comprehensive Plan Amendment and has chosen to extend the timeframe for public comment through to their next meeting. The next meeting will be November 7, 2016 at which time they will make a decision.
- Commissioner Grey asked about progress on the Burnt Lemon.
- Staff confirmed they have submitted building plans so the project is moving forward.
- Commissioner Higley asked about progress on Pinerra.

**VI. UPCOMING PUBLIC MEETINGS:** (held at the City Council Chamber unless otherwise posted)

1. Work Session- **November 2, 2016**
2. Public Hearing-**December 13, 2016**

**There will be no Public Hearing Nov 22<sup>nd</sup> and no work session Dec 7<sup>th</sup>**

**VII. ADJOURN MEETING:**

Chairman Frank adjourned the meeting at 7:35 p.m.

Lisa A Strickland  
Administrative Assistant  
Planning & Zoning Development





# BEFORE THE PLANNING & ZONING COMMISSION OF THE CITY OF TWIN FALLS

In Re: )  
 )  
Special Use Permit, Application, ) FINDINGS OF FACT,  
 )  
Lynwood Shopping Center/Full Steam, LLC ) CONCLUSIONS OF LAW,  
c/o Koby Funderburg )  
 Applicant(s) ) AND DECISION

This matter having come before the Planning and Zoning Commission of the City of Twin Falls, Idaho on **October 25, 2016** for public hearing pursuant to public notice as required by law for a Special Use Permit for the purpose of **operating a drive-through coffee stand with extended hours of operation on property located at 1328 Filer Avenue East aka Lynwood Shopping Center**, and the Planning and Zoning Commission having heard testimony from interested parties being fully advised in the matter, now makes the following

### FINDINGS OF FACT

1. Applicant has applied for a Special Use Permit for the purpose of **operating a drive-through coffee stand with extended hours of operation on property located at 1328 Filer Avenue East aka Lynwood Shopping Center**
2. All legal requirements for notice of public hearing have been met with advertisement taking place on the following date: **October 6, 2016**
3. The property in question is zoned **C-1** pursuant to the Zoning Ordinance of the City of Twin Falls. The property is designated as **Commercial/Retail** in the duly adopted Comprehensive Plan of the City of Twin Falls.

4. The existing neighboring land uses in the immediate area of this property are: to the north, **Commercial Business**; to the south, **Commercial Business**; to the east; **Commercial Business**; and to the west, **Commercial Business**.

Based on the foregoing Findings of Fact, the Planning and Zoning Commission hereby makes the following:

CONCLUSIONS OF LAW

1. The application for a Special Use Permit for the purpose of **operating a drive-through coffee stand with extended hours of operation on property located at 1328 Filer Avenue East aka Lynwood Shopping Center** is consistent with the purpose of the **C-1 Zone**, and is not detrimental to any of the outright permitted uses or existing special uses in the area.

2. The proposed use does constitute a special use as established by zoning requirements for the zone involved as required by Twin Falls City Code 10-13-2.2(D)1.

3. The proposed use will be harmonious with and in accordance with the general objectives or with any specific objective of a comprehensive plan and/or zoning regulations as required by Twin Falls City Code 10-13-2.2(D)2

4. The proposed use will be designed, constructed, operated and maintained to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area as required by Twin Falls City Code 10-13-2.2(D)3.

5. The proposed use will not be hazardous or disturbing to existing or future neighboring uses as required by Twin Falls City Code 10-13-2.2(D)4.

6. The proposed use will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community as required by Twin Falls City Code 10-13-2.2(D)6.

7. The proposed use will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any person, property or to the general welfare by reason of

excessive production of traffic, noise, smoke, fumes, glare or odors as required by Twin Falls City Code 10-13-2.2(D)7.

8. The proposed use will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares as required by Twin Falls City Code 10-13-2.2(D)8.

9. The proposed use will not result in the destruction, loss or damage of a natural, scenic or historic feature of major importance as required by Twin Falls City Code 10-13-2.2(D)9.

10 The proposed use is a proper use in the **C-1** Zone, subject to the conditions which are attached as "Exhibit No. A", and incorporated by reference as though fully set forth herein.

11. The application for a Special Use Permit for the purpose of **operating a drive-through coffee stand with extended hours of operation on property located at 1328 Filer Avenue East aka Lynwood Shopping Center** should be granted, subject to all applicable requirements of the Zoning Ordinance, Adopted Standard Drawings and City code of the City of Twin Falls, subject to the conditions which are attached as "Exhibit No. A", and incorporated by reference as though fully set forth herein.

Based on the foregoing Conclusions of Law, the Twin Falls City Planning and Zoning Commission hereby enters the following

#### DECISION

1. The application for a Special Use Permit for the purpose of **operating a drive-through coffee stand with extended hours of operation on property located at 1328 Filer Avenue East aka Lynwood Shopping Center** is hereby granted, subject to the conditions which are attached as "Exhibit No. A", and incorporated by reference as though fully set forth herein.

2. The applicant shall comply with all applicable requirements of the Adopted Standard Drawings, the Zoning Ordinance, and the City Code of the City of Twin Falls, subject to the conditions which are attached as "Exhibit No. A", and incorporated by reference as though fully set forth herein.

3. The Special Use Permit shall be issued, as presented.

---

CHAIRMAN- TWIN FALLS CITY PLANNING & ZONING COMMISSION

---

DATE

"EXHIBIT NO. A"

1. **Subject to site plan amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with applicable City Code Requirements and Standards.**
2. **Subject to the new parking scheme being installed and approved by City Staff prior to operation of the drive-thru.**

APPLICATION #2819  
SUP# 1410

**DRAFT**



**CITY OF TWIN FALLS  
PLANNING AND ZONING DEPARTMENT**

324 Hansen Street East  
P.O. Box 1907  
Twin Falls, Idaho 83303-1907

**SPECIAL USE PERMIT**

**Permit No.1410**

Granted by the Twin Falls City Planning and Zoning Commission, as presented, on **October 27, 2016** to **Lynwood Shopping Center/Full Steam, LLC c/o Koby Funderburg** whose address is **1328 Filer Ave East Twin Falls, ID 83301** for the purpose of **operating a drive-through coffee stand with extended hours of operation on property located at 1328 Filer Avenue East aka Lynwood Shopping Center** and legally described as **RPT00107103730 Twin Falls Acres Inside Parcel H SW SW NW Exc Hwy**

The Commission has attached the following conditions which must be fully implemented to avoid permit revocation (City Code Section 10-13-2.3):

**This permit corresponds to Zoning Application No.2819**

- 1. Subject to site plan amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with applicable City Code Requirements and Standards.**
- 2. Subject to the new parking scheme being installed and approved by City Staff prior to operation of the drive-thru.**

\_\_\_\_\_  
CHAIRMAN - TWIN FALLS CITY PLANNING & ZONING COMMISSION

\_\_\_\_\_  
DATE

**This permit is for zoning purposes only. Other permits such as sign, building, electrical or plumbing permits, etc. may be required. All facilities must comply with all Building and Fire Code Regulations.**

**Please contact the Building Department at 735-7238 for further information.**

cc: Building Inspection



# BEFORE THE PLANNING & ZONING COMMISSION OF THE CITY OF TWIN FALLS

In Re: )  
 )  
Special Use Permit, Application, ) FINDINGS OF FACT,  
 )  
 ) CONCLUSIONS OF LAW,  
Bill Riebesell )  
c/o Mike Shetler/Shetler Homes ) AND DECISION  
 Applicant(s) )

This matter having come before the Planning and Zoning Commission of the City of Twin Falls, Idaho on **October 25, 2016** for public hearing pursuant to public notice as required by law for a Special Use Permit for the purpose of **constructing a 3150 sq. ft. detached accessory building on property located at 898 Canyon Rim Road with the Area of Impact**, and the Planning and Zoning Commission having heard testimony from interested parties being fully advised in the matter, now makes the following

### FINDINGS OF FACT

1. Applicant has applied for a Special Use Permit for the purpose of **constructing a 3150 sq. ft. detached accessory building on property located at 898 Canyon Rim Road with the Area of Impact**
2. All legal requirements for notice of public hearing have been met with advertisement taking place on the following date: **October 6, 2016**
3. The property in question is zoned **SUI CRO (Aol)** pursuant to the Zoning Ordinance of the City of Twin Falls. The property is designated as **Rural Residential** in the duly adopted Comprehensive Plan of the City of Twin Falls.

4. The existing neighboring land uses in the immediate area of this property are: to the north, **Snake River Canyon**; to the south, **Residential/Pasture**; to the east; **Residential/Pasture**; and to the west, **Residential/Farm**.

Based on the foregoing Findings of Fact, the Planning and Zoning Commission hereby makes the following:

#### CONCLUSIONS OF LAW

1. The application for a Special Use Permit for the purpose of **constructing a 3150 sq. ft. detached accessory building on property located at 898 Canyon Rim Road with the Area of Impact** is consistent with the purpose of the **SUI CRO (Aol)** Zone, and is not detrimental to any of the outright permitted uses or existing special uses in the area.

2. The proposed use does constitute a special use as established by zoning requirements for the zone involved as required by Twin Falls City Code 10-13-2.2(D)1.

3. The proposed use will be harmonious with and in accordance with the general objectives or with any specific objective of a comprehensive plan and/or zoning regulations as required by Twin Falls City Code 10-13-2.2(D)2

4. The proposed use will be designed, constructed, operated and maintained to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area as required by Twin Falls City Code 10-13-2.2(D)3.

5. The proposed use will not be hazardous or disturbing to existing or future neighboring uses as required by Twin Falls City Code 10-13-2.2(D)4.

6. The proposed use will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community as required by Twin Falls City Code 10-13-2.2(D)6.

7. The proposed use will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any person, property or to the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors as required by Twin Falls City Code 10-13-2.2(D)7.

8. The proposed use will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares as required by Twin Falls City Code 10-13-2.2(D)8.

9. The proposed use will not result in the destruction, loss or damage of a natural, scenic or historic feature of major importance as required by Twin Falls City Code 10-13-2.2(D)9.

10 The proposed use is a proper use in the **SUI CRO (Aol)** Zone, subject to the conditions which are attached as "Exhibit No. A", and incorporated by reference as though fully set forth herein.

11. The application for a Special Use Permit for the purpose of **constructing a 3150 sq. ft. detached accessory building on property located at 898 Canyon Rim Road with the Area of Impact** should be granted, subject to all applicable requirements of the Zoning Ordinance, Adopted Standard Drawings and City code of the City of Twin Falls, subject to the conditions which are attached as "Exhibit No. A", and incorporated by reference as though fully set forth herein.

Based on the foregoing Conclusions of Law, the Twin Falls City Planning and Zoning Commission hereby enters the following

#### DECISION

1. The application for a Special Use Permit for the purpose of **constructing a 3150 sq. ft. detached accessory building on property located at 898 Canyon Rim Road with the Area of Impact** is hereby granted, subject to the conditions which are attached as "Exhibit No. A", and incorporated by reference as though fully set forth herein.

2. The applicant shall comply with all applicable requirements of the Adopted Standard Drawings, the Zoning Ordinance, and the City Code of the City of Twin Falls, subject to the conditions which are attached as "Exhibit No. A", and incorporated by reference as though fully set forth herein.

3. The Special Use Permit shall be issued, as presented.

---

CHAIRMAN- TWIN FALLS CITY PLANNING & ZONING COMMISSION

---

DATE

"EXHIBIT NO. A"

1. **Subject to the site plan amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with applicable City Code Requirements and Standards.**
2. **Subject to construction of the detached accessory building to be consistent with the submitted drawings/elevations, as presented.**
3. **Subject to personal use by the occupant of the home - no business or residential use within this structure.**
4. **Subject to written verification of legal access, from Canyon Gate Place to the applicants' property, being provided to City Staff prior to issuance of the Building Permit for the Detached Accessory Building.**

APPLICATION #2820  
SUP# 1411



**CITY OF TWIN FALLS  
PLANNING AND ZONING DEPARTMENT**

324 Hansen Street East  
P.O. Box 1907  
Twin Falls, Idaho 83303-1907

## SPECIAL USE PERMIT

**Permit No.1411**

Granted by the Twin Falls City Planning and Zoning Commission, as presented, on **October 25, 2016** to **Bill Riebesell c/o Mike Shetler-Shetler Homes** whose address is **898 Canyon Rim Road Twin Falls, ID 83301** for the purpose of **constructing a 3150 sq. ft. detached accessory building on property located at 898 Canyon Rim Road with the Area of Impact** and legally described as **RP09S17E295680A Sec 29 T 9 R 17 Tax #2029. S of Rimrock of Snake River Canyon In NW SW**

The Commission has attached the following conditions which must be fully implemented to avoid permit revocation (City Code Section 10-13-2.3):

**This permit corresponds to Zoning Application No.2820**

- 1. Subject to the site plan amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with applicable City Code Requirements and Standards.**
- 2. Subject to construction of the detached accessory building to be consistent with the submitted drawings/elevations, as presented.**
- 3. Subject to personal use by the occupant of the home - no business or residential use within this structure.**
- 4. Subject to written verification of legal access, from Canyon Gate Place to the applicants' property, being provided to City Staff prior to issuance of the Building Permit for the Detached Accessory Building.**

\_\_\_\_\_  
CHAIRMAN - TWIN FALLS CITY PLANNING & ZONING COMMISSION

\_\_\_\_\_  
DATE

**This permit is for zoning purposes only. Other permits such as sign, building, electrical or plumbing permits, etc. may be required. All facilities must comply with all Building and Fire Code Regulations.**

**Please contact the Building Department at 735-7238 for further information.**



# BEFORE THE PLANNING & ZONING COMMISSION OF THE CITY OF TWIN FALLS

In Re: )  
 )  
Preliminary Plat Application, ) FINDINGS OF FACT,  
 )  
Meadow West Subdivision-a PUD ) CONCLUSIONS OF LAW,  
c/o EHM Engineers, Inc. )  
 Applicant(s) ) AND DECISION

This matter having come before the Planning and Zoning Commission of the City of Twin Falls, Idaho at the **October 25, 2016** hearing for consideration of the preliminary plat of **Meadow West Subdivision-a PUD**, approximately **71.52 (+/-)** acres, consisting of **278 single family residences, 12 neighborhood commercial and 5 tracts, located on the south side of Falls Avenue West and west side of Grandview Drive North** and the Planning and Zoning Commission having heard testimony from interested parties being fully advised in the matter, now makes the following

### FINDINGS OF FACT

1. Applicant has requested approval of the preliminary plat of **Meadow West Subdivision-a PUD**, approximately **71.52 (+/-)** acres, consisting of **278 single family residences, 12 neighborhood commercial and 5 tracts, located on the south side of Falls Avenue West and west side of Grandview Drive North**
2. The property in question is zoned **R-2 and R-2 NCO** pursuant to the Zoning Ordinance of the City of Twin Falls. The property is designated as **Urban Village/Infill** in the duly adopted Comprehensive Plan of the City of Twin Falls.
4. The existing neighboring land uses in the immediate area of this property are: to the north, **Falls Avenue West/Perrine Point Subdivision-a PUD**; to the south, **Castlewood Subdivision/Rock Creek Trail**

**Estates/residential;** to the east, **Grandview Mesa Subdivision #3/Quilici Heights Subdivision/residential;** to the west, **Rim View Estates/Residential**

5. The City Engineering Office has reviewed the preliminary plat and has approved the proposed street accesses and public utility extensions, subject to availability of such services at the time of development. The developer will pay all costs of public improvements, including but not limited to streets, curb, gutter and sidewalks, sewer, water and pressurized irrigation systems. The proposed development includes dedication of additional right-of-way in compliance with the Master Street Plan.

6. Any detrimental effects on the neighborhood would be ameliorated by observance of the conditions, which are attached as "Exhibit No. A", and incorporated by reference as though fully set forth herein.

Based on the foregoing Findings of Fact and the regulations and standards set forth below, the Planning and Zoning Commission hereby makes the following

CONCLUSIONS OF LAW

1. The preliminary plat of the **Meadow West Subdivision-a PUD**, approximately **71.52 (+/-)** acres, consisting of **278 single family residences, 12 neighborhood commercial and 5 tracts, located on the south side of Falls Avenue West and west side of Grandview Drive North** is in conformance with the objectives of the zoning ordinance and the policy for developments in Twin Falls City Code §10-1-4. Specifically, the land can be used safely for building purposes without danger to health or peril from fire, flood or other menace, proper provision has been made for drainage, water, sewerage and capital improvements including schools, parks, recreation facilities, transportation facilities and improvements, all existing and proposed public improvements conform to the Comprehensive Plan.

2. The preliminary plat is in conformance with the Comprehensive Plan as required by Twin Falls City Code §10-12-2.3(H) (2) (a).

3. Public services are currently available to accommodate the proposed development, as required by Twin Falls City Code §10-12-2.3(H) (2) (b). Public services may not be available at the time of development, depending upon the speed of development of this and other subdivisions and the ability of the City to obtain additional water and/or sewer capacity.

4. The development of streets, sewer, water, irrigation, dedication of park land and other public improvements at the cost of the developer will not adversely affect any capital improvement plan and will integrate with existing public facilities, as required by Twin Falls City Code §10-12-2.3(H)(2)(c).

5. There is sufficient public financial capability of supporting services for the proposed development, as required by Twin Falls City Code §10-12-2.3(H) (2) (d).

6. There are no other health, safety or environmental problems associated with the proposed development that were brought to the Commission's attention, per Twin Falls City Code §10-12-2.3(H)(2)(e).

Based on the foregoing Conclusions of Law, the Twin Falls City Planning and Zoning Commission hereby enters the following

DECISION

The request for approval of the preliminary plat of **Meadow West Subdivision-a PUD**, approximately **71.52 (+/-)** acres, consisting of **278 single family residences, 12 neighborhood commercial and 5 tracts, located on the south side of Falls Avenue West and west side of Grandview Drive North** is hereby granted, subject to final technical review by the City Engineer's Office and subject to the conditions which are attached as "Exhibit No. A", and incorporated by reference as though fully set forth herein. The applicant shall comply with all applicable requirements of the Adopted Standard Drawings, the Zoning Ordinance, and the City Code of the City of Twin Falls.

---

CHAIRMAN-TWIN FALLS CITY PLANNING & ZONING COMMISSION

---

DATE

"EXHIBIT NO. A"

1. Subject to final technical review and amendments as required by building, engineering, fire, and zoning officials to ensure compliance with all applicable city code requirements and standards.
2. Subject to development of the ten foot (10') pedestrian pathway crossing from the park (Tract A) to Grandview Drive North being relocated to adequately address safety concerns, and approved per City Engineer.
3. Subject to adequate driveway access to Lot 27 Block 3 being provided, or an alternative solution being provided to address the access issue, and approved per City Staff.
4. Subject to the Meadow West PUD Agreement being approved and recorded prior to recordation of the final plat.

DRAFT



**Preliminary PUD Presentation: TUESDAY, NOVEMBER 08, 2016**

Public Hearing: Tuesday, DECEMBER 13, 2016

To: Planning & Zoning Commission  
 Presenter: Jonathan Spendlove, Planner I  
 Author: Renee Carraway-Johnson – Zoning Manager

**AGENDA ITEM III-1**

**Request:** Preliminary Presentation for a Zoning District Change and Zoning Map Amendment from C-1 PUD to C-1 ZDA for 2.14 (+/-) acres to allow a commercial development consisting of a hotel with a maximum height of 55’ and accessory uses on property located East of the Fairfield Inn, 1788 Washington Street North, c/o Gerald Martens on behalf of Westpark Partners, LLC. (app. 2826)

**Time Estimate:**

The applicant’s presentation may take up to fifteen (15) minutes. There is no Staff presentation this evening.

**Background:**

<b>Applicant:</b>	<b>Status:</b> Property Owner	<b>Size:</b> 2.14(+/-) acres
Westpark Partners, LLC c/o Gerald Martens 621 N. College Rd, Ste 100 Twin Falls, Idaho 83301 208-734-4888 208-420-2461cell <a href="mailto:gmartens@ehminc.com">gmartens@ehminc.com</a>	<b>Current Zoning:</b> C-1 PUD	<b>Requested Zoning:</b> C-1 ZDA
	<b>Comprehensive Plan:</b> Commercial – Retail	<b>Lot Count:</b> 1 lot
	<b>Existing Land Use:</b> vacant	<b>Proposed Land Use:</b> commercial development consisting of a hotel with a max height of 55’ and accessory uses
<b>Representative:</b>	<b>Zoning Designations &amp; Surrounding Land Use(s)</b>	
	<b>North:</b> C-1 PUD; Bach Storage, mini storage units	<b>East:</b> C-1 PUD; undeveloped
	<b>South:</b> C-1 PUD; Walgreen’s & Culver’s	<b>West:</b> C-1 PUD & R-2; Fairfield Inn, Washington St N, Residential, Los Lagos
	<b>Applicable Regulations:</b> 10-1-4, 10-1-5, 10-4-8, 10-6-1-7, 10-7-6, 10-10-1 through 3, 10-11-1 through 9	

**Approval Process:**

As per Twin Falls City Code 10-6-1.4(E) Approval of a ZDA Sub-District:  
 The applicant is required to do a presentation to the Planning and Zoning Commission and the Public a preliminary review. The Commission and Public are allowed to give suggestions and ask questions of the applicant about the proposed project. A public hearing shall be held before the Commission for a recommendation to the Council to amend the zoning district and the zoning map, amend with recommendations or deny the request.

**Budget Impact:**

Approval of this request may have a financial impact on the City budget as commercial development could bring in more revenue.

**Regulatory Impact:**

The Commission makes no decision at this time. After a public hearing, a recommendation from the Planning and Zoning Commission for the requested change will allow the request to proceed to the City Council for a decision.

## History:

This area was part of a request for a Comprehensive Plan Map change from residential to commercial and open space and a **rezone from R-1-4300 to C-1 PUD and OS**, which was reviewed by the Planning and Zoning Commission on **February 9, 1993**. The Commission recommended approval of the request as a **C-1 & R-4 PRO PUD** zoning. The request was approved by the City Council on **April 19, 1993**, with the Commission's recommendations, including the following:

1. Lot 6 at the intersection of Pole Line Road and Washington St N be rezoned R-4 PRO PUD.
2. Accesses to the lots on Pole Line Road to be limited to minimum 660 foot spacing and limited to shared accesses between the lots.
3. Relocate the access between lots 6 & 7 further from Washington St N and access lots 7 through an internal access easement through lot 6.
4. Provide a 44 foot wide public access road along the east side of Lot 1 to serve future development to the north. This is at the 1/2 mile (Harrison St) alignment. Make provisions to delete the approach aligned with the existing Lazy J access upon full development of the Harrison St intersection.
5. Provide a 44 foot wide public north-south access road off Pole Line Road through the C-1 PUD area to the future residential development to the north.
6. Dedicate a 40 foot 1/2 right-of-way on Washington St N and build to a 32 foot wide half arterial section.
7. A landscaped berm required on the west side of Lot 5.
8. Public parking required on Lots 1 & 2 for public access to the Perrine Coulee green belt.

**As per condition #1 The PUD rezoned a 4.5 acre parcel, referenced as "Lot 6", located at the northeast corner of Washington St N and Pole Line Road as R-4 PRO.**

Westpark Commercial Subdivision, No. 3 was recorded in May 2006. The plat consists of 24 (+/-) acres with 3 commercial lots. Lot 6, Block 2 is 2.98 acres and is located at the northeast corner of Pole Line Road and Washington Street North. This lot was zoned R-4 PRO PUD. On **September 24, 2007** the City Council approved an amendment to the Northbridge PUD rezoning Lot 6, Block 2 Westpark Commercial Subdivision #3-a PUD from **R-4 PRO to C-1 PUD**. At the time the applicants only owned the 3 acre platted lot, leaving the remaining 1.5 acre parcel to the north zoned R-4 PRO. Walgreen's purchased the remaining 1.5 acre parcel of Lot 6, Block 2 of West Park Commercial Subdivision #3-a PUD and on **July 14, 2008** the City Council approved a PUD Modification of the Northbridge PUD rezoning the remaining 1.5 **R-4 PRO zoned parcel to C-1 PUD**.

On **January 8, 2008** the Commission approved a Special Use Permit to operate a retail business outside the permitted hours of operation of 7:00 am to 10:00 pm, to operate a drive-through facility, and to operate a 32 sq ft message center sign. The sign code has since been modified, allowing a message center sign without a special use permit. A Certificate of Occupancy was issued for the new Walgreen's store located on the proposed Lot 1, Block 1 of the Magic Valley Marketplace Subdivision and on October 1, 2009 that final plat was approved & recorded.

**May 16<sup>th</sup>, 1994** Council approved the Northbridge #2 PUD Agreement. **August 22<sup>nd</sup>, 2005** the Council approved a PUD modification to the Northbridge #2 PUD to allow a storage unit facility.

On **April 23, 2012** there was a Preliminary PUD Presentation to the Commission at a public meeting requesting a Zoning District Change and Zoning Map Amendment from C-1 and R-4 to C-1 PUD for 2.53 (+/-) acres to allow a commercial development of a hotel and accessory uses, on property located at 1810 (later changed to 1788) Washington Street North. On **May 14, 2013** a public hearing was held. A representative from the Los Lagos HOA discussed the project in a positive manner. The HOA would like to ask that the parking lot be posted with signage that would not allow large trucks to park in the parking lot overnight due to noise and disturbance from the trucks running all night. The other request is that the areas facing the neighborhoods be bermed high enough to prevent headlights from projecting onto the residential homes.

On **May 14, 2013** the Commission unanimously recommended approval of the Westpark Commercial #7 C-1 PUD, as presented, subject to the following conditions:

1. Subject To Site Plan Amendments As Required By Building, Engineering, Fire, And Zoning Officials To Ensure Compliance With All Applicable City Code Requirements And Standards.
2. Subject To Arterial And Collector Streets Adjacent And Within The Property Being Dedicated To The City Of Twin Falls And To Be Rebuilt Or Built To Current City Standards Upon Development Or Change Of Use Of The Property.
3. Subject To Landscaping Being Consistent And Meeting Or Exceeding The Presented Master Development Plan, As Well As City Codes 10-4-8.3(F) And 10-7-12, Whichever Is Greater.
4. Should The Monument Sign Need To Be Placed In A Utility Easement, The Property Owner Shall Demonstrate That There Is No Other Viable Location For A Sign, Provide Written Approval From The Utility Company Or Companies And Provide A Recorded Document Releasing The City Of Any Liability For Repair Or Replacement Of A Sign Damaged By Work Occurring Within The Utility Easement, As Per 10-9-5(D)2.

On **June 10, 2013** the City Council held a public hearing on this request and upon conclusion the request was unanimously approved as presented subject to the 4 conditions recommended by the Commission. A PUD Agreement was approved and recorded in June 2013.

**Analysis:**

This is a request for a Zoning District Change and Zoning Map Amendment from C-1 PUD to C-1 ZDA for 2.14 (+/-) acres to allow a commercial development of a hotel a maximum of 55' tall and accessory uses, on property located east of the Fairfield Inn, 1788 Washington Street North.

City Code requires that the applicants make a preliminary presentation to the Commission and to the public. This presentation allows the Commission and the public to become familiar with the proposed planned development project prior to the actual public hearing. The Commission can also give suggestions to the applicants on the project outside of the hearing process. No action is taken at the presentation meeting.

A public hearing regarding this request will be heard at the regularly scheduled Planning and Zoning Commission public meeting [Tuesday December 13, 2016](#). Further staff analysis will be given at that time.

**Conclusion:**

Staff makes no recommendation at this time.

**Attachments:**

1. Narrative
2. Zoning Development Agreement
3. Zoning Vicinity Map
4. Aerial Site Map
5. Future Land Use Map
6. Draft of the Final/Master Development Plan
7. Proposed Building Elevations (2)
8. Current Site Photos (3)

## NARRATIVE

The purpose of the request is to modify the existing Westpark PUD Agreements to allow the construction of a multistory hotel/motel facility on a 2.14 acre site adjacent to an existing hotel/motel under the same ownership and management. The build height will not exceed 55 feet and be similar to the adjacent hotel and other nearby hotels in the Pole Line Road corridor. The proposed change is totally compatible with the adjacent facility utilizing shared parking and developed with compatible landscaping.

The proposed use is totally compatible with all surrounding users and consistent with all previous development plans.

ZDA Development Commitment Agreement  
Pursuant to All Parts of the Planning Exhibit

This ZDA Development commitment Agreement is made and entered into this \_\_\_\_ day of \_\_\_\_\_, 2016, by and between the City of Twin Falls, State of Idaho, a municipal corporation, hereinafter called "City" and \_\_\_\_\_ hereinafter called "Developer" for the purpose of developing a commercial property as a Zoned Development Agreement (ZDA). The Legal description of the property is a portion of Lot 4, Blk 2, WESTPARK COMMERCIAL SUBD. No. 3. A conveyance plat located in the southwest corner of Section 33, Township 9 South, Range 17 East, Boise Meridian in Twin Falls county Idaho. More specifically described in attached Exhibit A.

Development and Improvements shall conform to the standards and regulations of the Twin Falls City Code Title 10-Chapter 4-Section-8 and Chapter 6-Section -1, and all references to other sections herein, as amended, except for the following:

(2) Land Use Regulations:

(B) Motels and transient hotels as a Permittee Use.

(3) Property Development Standards:

(C) Building Height: Modifies as Follows: No Building shall exceed fifty five feet (55")in height.

If no development has occurred on the ZDA subject parcel within the time identified, the planning and zoning commission and city council may review the original ZDA development requirements and conceptual development plan to ensure their continued validity. If the city determines the concept is no longer valid, then:

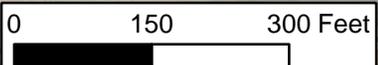
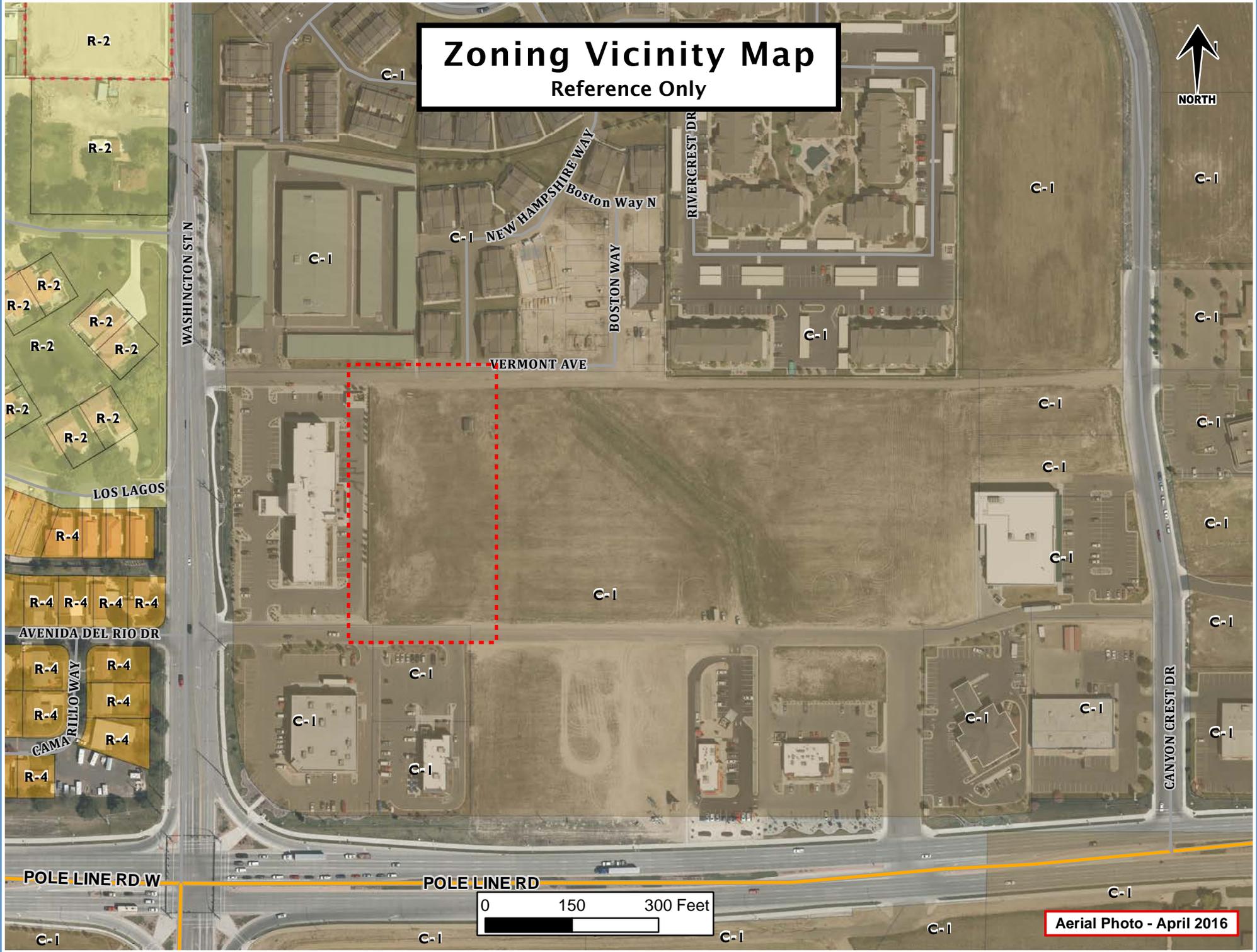
- (A) The city may initiate process to change the zoning classification, or
- (B) New ZDA development requirements and/or a new conceptual development plan may be required to be approved prior to the city issuing a building permit for the any portion of the ZDA subject parcel.

---

Developer: Westpark Partners, LLC

# Zoning Vicinity Map

Reference Only



Aerial Photo - April 2016

# Aerial Photo Map

Reference Only



WASHINGTON ST N

NEW HAMPSHIRE WAY

Boston Way N

RIVERCREST DR

BOSTON WAY

VERMONT AVE

LOS LAGOS

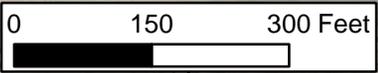
AVENIDA DEL RIO DR

CAMA RILLOWAY

POLE LINE RD W

POLE LINE RD

CANYON CREST DR



Aerial Photo - April 2016

Residential Business

# Future Land Use Map

Reference Only



WASHINGTON ST N

NEW HAMPSHIRE WAY

Boston Way N

RIVERCREST DR

BOSTON WAY

VERMONT AVE

Urban Village/ Urban Infill

Commercial/Retail

AVENIDA DEL RIO DR

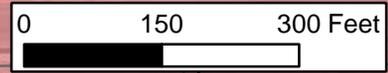
CAMA RILLO WAY

CANYON CREST DR

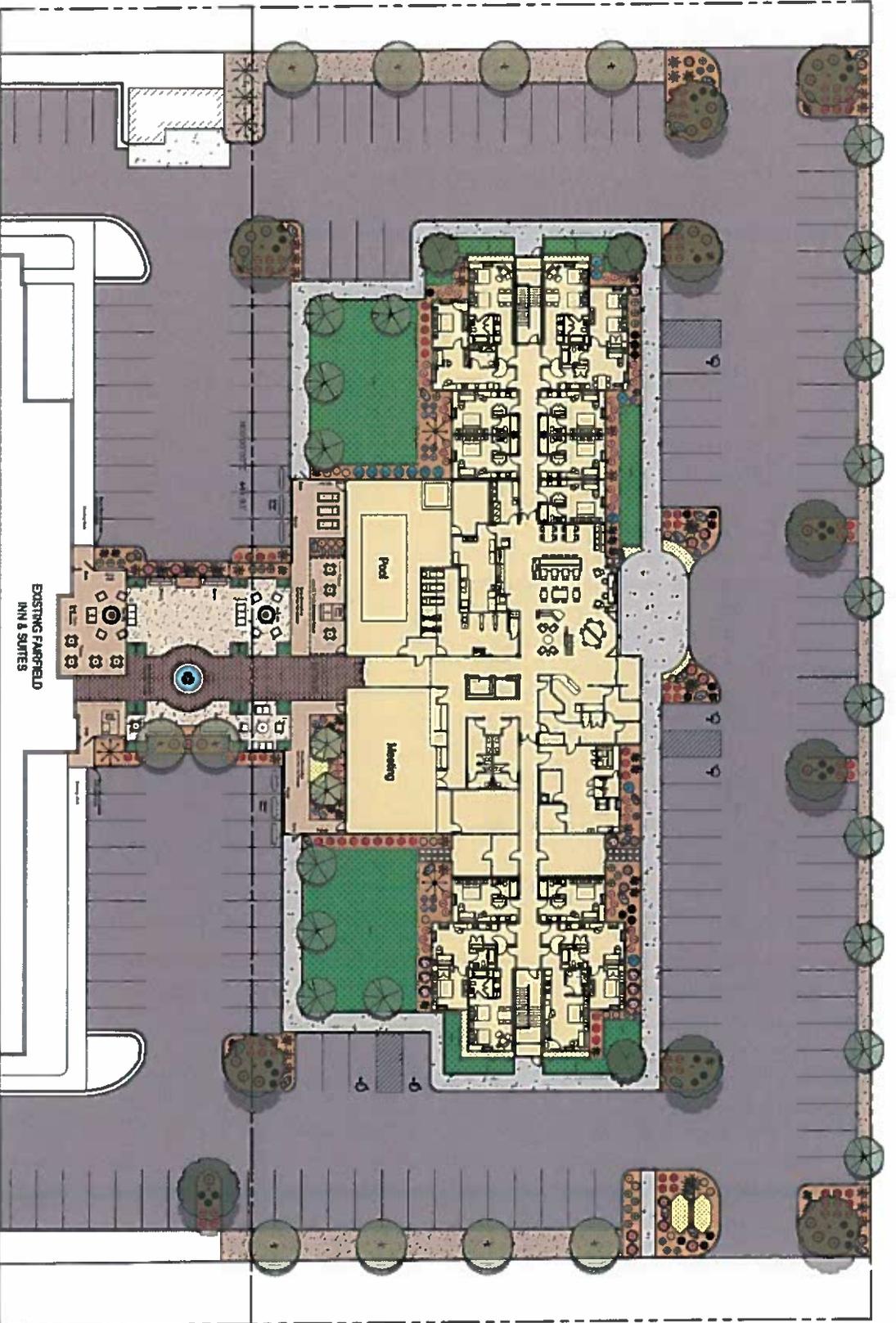
POLE LINE RD W

POLE LINE RD

Commercial/Retail



Aerial Photo - April 2016



## Marriott TownePlace Suites

Twin Falls, Idaho

For Penbridge Capital  
Eagle, Idaho







SE Corner of Proposed Project. Current Marriot Hotel in the Background.



SW Corner of Proposed Project.



NW Corner of Project.



NE Corner of Project. Current Marriot Hotel in the Background.





Public Hearing: **TUESDAY, November 8, 2016**

To: Planning and Zoning Commission

Presenter: Jonathan Spendlove, Planner I

Editor: Renee Carraway-Johnson, Zoning Administrator

Authors: Steve O'Connor & Jonathan Spendlove

## AGENDA ITEM IV-1

**Request:** Requests a **Special Use Permit** to allow the sale of alcohol for consumption on premises in conjunction with a grocery store/restaurant on property located at 850 Shoshone Street West. c/o Clarisa Sandoval (app. 2821)

**Time Estimate:**

The applicant's presentation may take up to ten (10) minutes. Staff presentation will be approximately five (5) minutes.

**Background:**

<b>Applicant:</b>	<b>Status:</b> Owner	<b>Size:</b> ~.64 ac lot, Bldg Size ~ 5000 sqft
Clarisa Sandoval 222 South Lincoln Ave Jerome, ID 83338 208-421-8682 Clari_s_1@live.com	<b>Current Zoning:</b> C-1; Commercial Highway District within the CRO, Canyon Rim Overlay	<b>Requested Zoning:</b> Special Use Permit to serve alcohol on the premises for consumption in conjunction with the restaurant
	<b>Comprehensive Plan:</b> Industrial	<b>Lot Count:</b> 1 lot
	<b>Existing Land Use:</b> Restaurant	<b>Proposed Land Use:</b> Restaurant, to serve alcohol on the premises
<b>Representative:</b>	<b>Zoning Designations &amp; Surrounding Land Use(s)</b>	
	<b>North:</b> M-2 with CRO, Open Space - Rock Creek	<b>East:</b> C-1 with CRO, Laundromat and Coffee Shop ; Open Space with CRO – Rock Creek
	<b>South:</b> C-1 with CRO, Fuel Station; Intersection of Shoshone St S and South Park Ave	<b>West:</b> M-2 with CRO, Recycling Center
	<b>Applicable Regulations:</b> 10-1-4, 10-1-5, 10-4-19, 10-11-1 thru 8	

**Approval Process:**

The Special Use Permit process requires a public hearing to be held in which interested persons have the opportunity to be heard with regards to the application.

Within thirty (30) days after the public hearing, the Commission shall approve, conditionally approve, or disapprove the application as presented during the hearing. If conditions are placed on the permit, the Administrator shall issue a special use permit listing the specific conditions specified by the Commission for approval. Conditions shall be implemented within 6 months or the permit if void.

If an applicant or interested party appeals the decision of the Commission with fifteen (15) days from the date of action (when the Findings of Fact are signed), the City Council shall set a hearing date to consider all information, testimony and minutes of the previous hearing to reach a decision on the appeal.

**Budget Impact:**

Approval of this request will not have a negligible impact on the City budget.

**Regulatory Impact:**

Approval of this request will allow the applicant to apply for a Beer and Wine License for consumption on site. **A special use permit is for zoning purposes only.** Other permits such as sign, building, electrical or plumbing permits, etc. may be required. All facilities must comply with all Building and Fire Code Regulations.

**History:**

County parcel records show a structure was built here in 1963. Swenson's Market owned the property from 1994 to 2014 with various businesses occupying the space. Cheverria's Restaurant purchased the property in 2015, renovated the space and opened recently.

**Analysis:**

The site is zoned C-1 CRO along Shoshone St S. The applicant has supplied a site plan showing an existing restaurant with all required parking and improved maneuver areas. Currently Cheverria's has their State and County license to sell prepackaged alcohol for consumption offsite. They need and SUP to sell alcohol for consumption on the premises in conjunction with the restaurant. The applicant has met all building, fire code, and zoning requirements as required with their recently approved building permit. The applicant is not seeking extended hours of operation at this time.

**Per City Code 10-4-19: Canyon Rim Overlay:** A Special Use Permit is required for the sale of Alcoholic beverages, when consumed on the premises where sold within the Canyon Rim Overlay.

**Per City Code 10-11-1 thru 8:** Required improvements include access, drainage and storm water. These required improvements were evaluated and all applicable code requirements were enforced at the time of building permit approval.

**Possible Impacts:** Staff does not foresee any major impacts stemming from the sale and consumption of alcohol from 850 Shoshone St South. Cheverria's recently opened so we may see an increase in customer traffic if the SUP is granted allowing them to serve alcohol.

Due to the location adjacent to Shoshone St S, and the normal traffic loads of that road, Staff does not foresee this permit being overly impactful to the surrounding area.

**Conclusion:**

Should the Commission grant this request as presented; staff recommends approval be subject to the following conditions:

1. Subject to the site plan amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with applicable City Code Requirements and Standards.
2. Subject to following all Liquor License requirements set forth by the applicable agencies.

**Attachments:**

1. Letter of request
2. Zoning Vicinity Map
3. Applicant Submitted Site Plan
4. Applicant Submitted Elevations
5. Site Photos

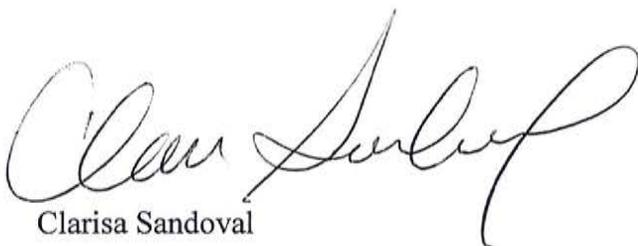
Cheverria's LLC  
Clarisa Sandoval  
222 South Lincoln Ave.  
Jerome, ID 83338

To whom it may concern:

On behalf of Cheverria's LLC, I am requesting a Special Use permit for the consumption of alcohol on premises located at the business address 850 Shoshone St. West, Twin Falls, ID 83301.

The reason for which we are requesting this permit is because we know it will greatly benefit our business. We are currently open as a Restaurant/Market of which our hours of operation are from 9am-9pm. Our restaurant consists of a full menu, dine-in service, as well as carry-out orders. We have already received both our State and County Licenses for the consumption of alcohol on and off premises. Now, we look forward to receiving our city license, as well. We believe this license is of importance to our business, being that we already have had several customers asking for beer, and then get disappointed when we tell them there isn't any, yet.

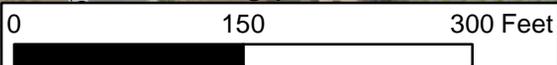
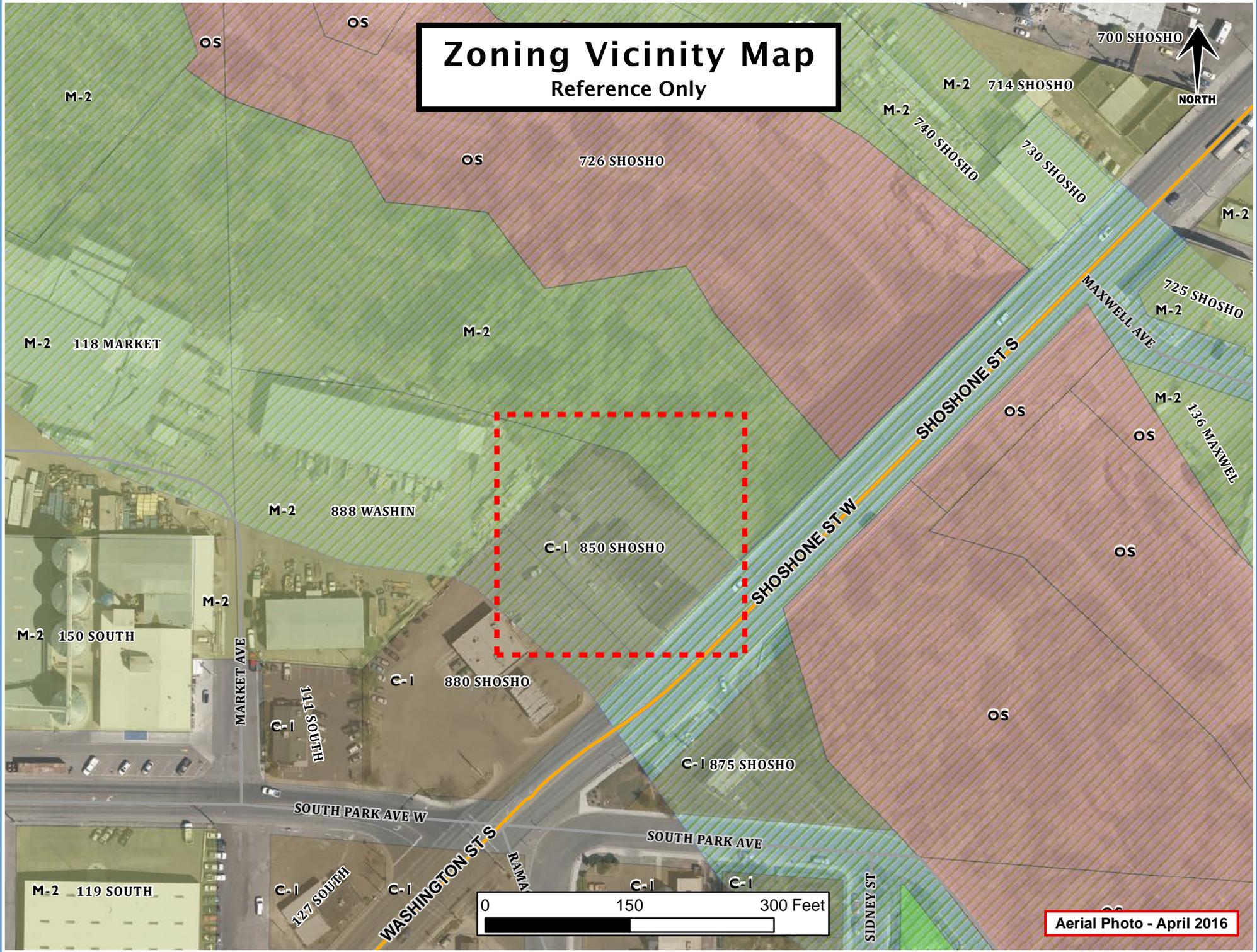
I don't think this will have negative effects to any of our surrounding neighbors, because we are a friendly, family business, which looks to meet all regulations. All our customers want is to enjoy a nice cold beer with a couple of delicious tacos! Thank you for your consideration, and we look forward to your approval for this Special Use permit.



Clarisa Sandoval

# Zoning Vicinity Map

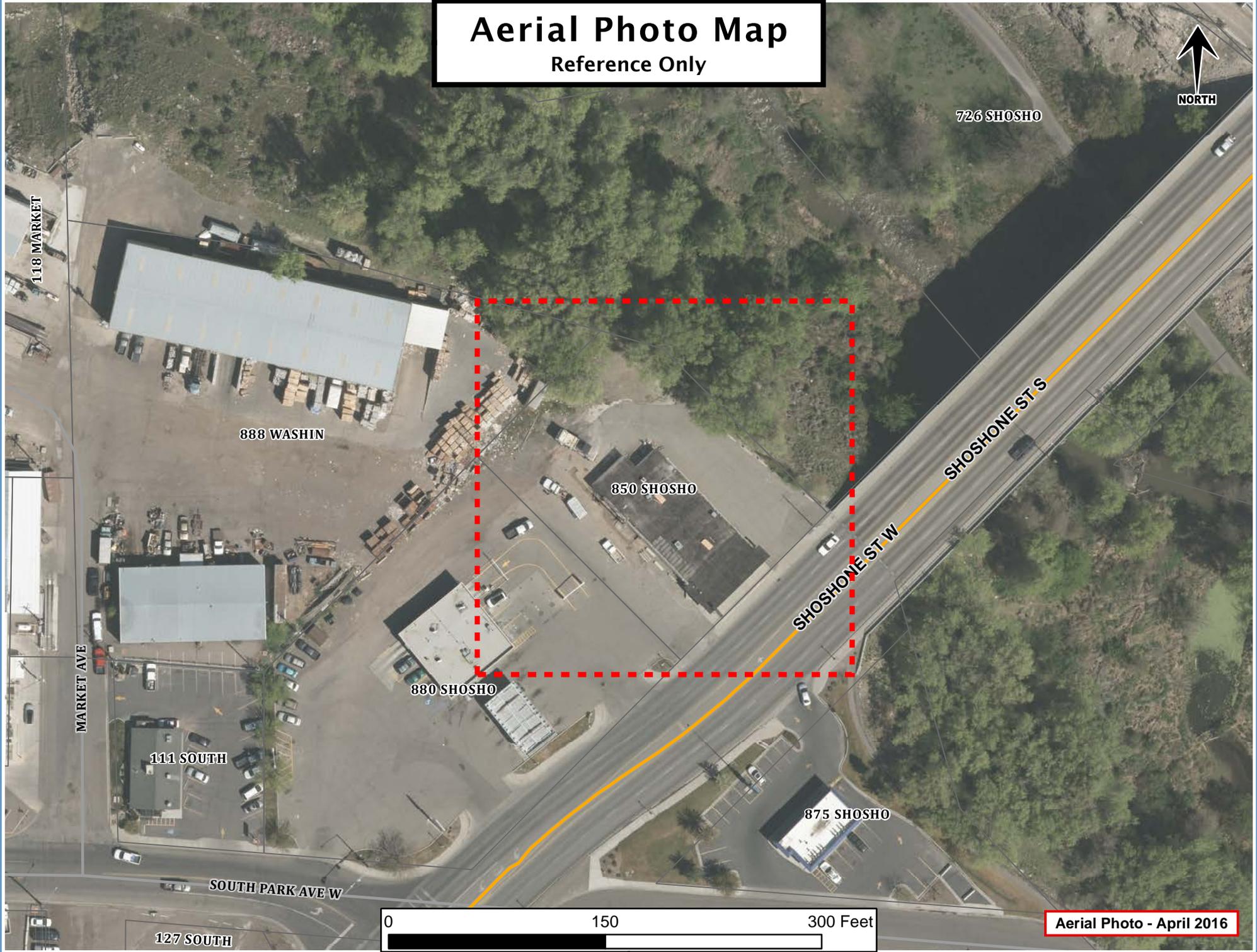
Reference Only



Aerial Photo - April 2016

# Aerial Photo Map

Reference Only



726 SHOSHO

118 MARKET

888 WASHIN

850 SHOSHO

SHOSHONE ST W

SHOSHONE ST S

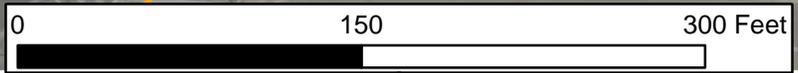
880 SHOSHO

MARKET AVE

111 SOUTH

875 SHOSHO

SOUTH PARK AVE W



Aerial Photo - April 2016

127 SOUTH





Frontage along Shoshone St





Public Hearing: **TUESDAY, NOVEMBER 8, 2016**

To: Planning and Zoning Commission

Presenter: Jonathan Spendlove Planner I

Editor: Renee Carraway-Johnson, Zoning Administrator

Authors: Steve O'Connor & Jonathan Spendlove

## AGENDA ITEM IV-2

**Request:** Requests a **Special Use Permit** to construct a 2500 sq. ft. detached accessory building consisting of a 1500 sq. ft. (30'x 50') building plus 600 sq. ft. (20'x30') covered parking area and a 400 sq. ft. (20'x20') covered porch on property located at 3350 East 4000 North in the Area of Impact. c/o Scott Elison (app. 2822)

**Time Estimate:**

The applicant's presentation may take up to ten (10) minutes. Staff presentation will be approximately five (5) minutes.

**Background:**

<b>Applicant:</b>	<b>Status:</b> Owner	<b>Size:</b> ~2.2ac lot, construction of a 2500 sq. ft. detached accessory building
Scott Elison 3350 E 4000 N Kimberly, ID 83341 661-978-1851 selison@mac.com	<b>Current Zoning:</b> SUI; Suburban Urban Interface in the Area of Impact	<b>Requested Zoning:</b> Special Use Permit
	<b>Comprehensive Plan:</b> SUI	<b>Lot Count:</b> 1 lot
	<b>Existing Land Use:</b> Residential	<b>Proposed Land Use:</b> Development of a Detached Accessory Bldg >1500 sq. ft.
<b>Representative:</b>	<b>Zoning Designations &amp; Surrounding Land Use(s)</b>	
	<b>North:</b> SUI/Aol; Agriculture	<b>East:</b> SUI/Aol; Residence
	<b>South:</b> SUI/Aol; 4000 North/Falls Ave N; Residential/Agriculture	<b>West:</b> SUI/Aol; Agriculture
	<b>Applicable Regulations:</b> 10-1-4, 10-1-5, 10-4-2, 10-8, 10-11-1 thru 8, 10-13	

**Approval Process:**

The Special Use Permit process requires a public hearing to be held in which interested persons have the opportunity to be heard with regards to the application.

Within thirty (30) days after the public hearing, the Commission shall approve, conditionally approve, or disapprove the application as presented during the hearing. If conditions are placed on the permit, the Administrator shall issue a special use permit listing the specific conditions specified by the Commission for approval. Conditions shall be implemented within 6 months or the permit if void.

If an applicant or interested party appeals the decision of the Commission with fifteen (15) days from the date of action (when the Findings of Fact are signed), the City Council shall set a hearing date to consider all information, testimony and minutes of the previous hearing to reach a decision on the appeal.

**Budget Impact:**

Approval of this request will not have a negligible impact on the City budget.

**Regulatory Impact:**

Approval of this request will allow the applicant to proceed with the building permit for a detached residential garage larger than 1,500 square feet.

A special use permit is for zoning purposes only. Other permits such as sign, building, electrical or plumbing permits, etc. may be required. All facilities must comply with all Building and Fire Code Regulations.

**History:**

County parcel records show the main residence was built in 1930, and the existing 624 sq. ft. detached accessory building was built in 2016.

**Analysis:**

The site is zoned SUI within the Area of Impact. The applicant has supplied a site plan showing an existing single family residence, an existing 624 sq. ft. detached accessory building, and a proposed 2,500 sq. sf. detached accessory building addition. The applicant describes the building for storage and private use, no commercial activity. If the special use permit is granted the applicant will proceed with development of the 2,500 sq. ft. detached accessory building as approved.

**Per City Code 10-4-2:** Detached accessory buildings within the SUI Zone greater than 1500 sq. ft. are required to obtain a Special Use Permit prior to being legally constructed. The proposed plan is showing the detached accessory building on the north end of the property.

**Per City Code 10-11-1 thru 8:** Required improvements include access, drainage and storm water. These required improvements will be evaluated and all applicable code requirements will be enforced at the time of building permit submittal.

**Possible Impacts:** Detached accessory buildings are common for this area. The property to the East has a larger sized barn for agricultural purposes. The other adjacent or surrounding parcels are either farms or other SUI zoned lots with large accessory buildings as well. Staff does not expect overtly burdensome impacts to be created with this Special Use Permit.

**Conclusion:**

Should the Commission grant this request as presented; staff recommends approval be subject to the following conditions:

1. Subject to the site plan amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with applicable City Code Requirements and Standards.
2. Subject to construction of the detached accessory building to be consistent with the submitted drawings/elevations, as presented.
3. Subject to personal use by the occupant of the home - no business or residential use within this structure.

**Attachments:**

1. Letter of request
2. Zoning Vicinity Map
3. Aerial Map
4. Applicant Submitted Site Plan
5. Applicant Submitted Elevations
6. Site Photos

## Special Use Permit

### **a) Reason For the Request :**

The reason for the request of a special use permit is for a proposed accessory building that is larger than the 1,500 square feet. The building that I am proposing to build is 1,400 square feet of enclosed area but each side of building the roof extends further to accommodate a covered parking on one side and a porch on the other side. The total area that is covered by roof is 2,400 square feet. The porch adds 400 square feet and the covered parking adds 600 square feet. The total footprint is 40 feet by 50 feet. The property is on 2 ¼ acres and the house sits close to Falls Avenue. There is a detached garage and the building I am proposing is to be used to store tools, a tractor and a boat.

### **b) An explanation the project:**

The project is one that will not require a lot of trades to build. Since the building is going to be used to store things it will not require plumbing. The building will have concrete slab with footings, 2x6 wood framed exterior walls, a metal roof and barn wood siding. We will have some electrical installed for lights and to run a compressor. Only a few contractors will construct this build and the traffic will be light because of this. The work hours will be only during normal times between 8am and 6pm. The amount of employees will be limited because the job is not that big. I would say the largest crew would be 4 to 5 people. In this job the trades will not have to overlap each other.

### **c) An evaluation of the effects on adjoining property**

**Noise:** The noise will be normal for a construction sight. The most noise will be in the framing stage and that will take less than a week to complete. This proposed structure sits on the side of the property that is surrounded by farmland. Noise will not be an issue for people behind the property because of the great distance between this property and houses. We just built a detached garage this year and it was not a problem for my one neighbor. The proposed building is at the back of our property far from our closest neighbor.

**Glare:** this will not be a problem because the few lights that are on the structure are pointing down. The property is also covered in trees, which blocks any glare. The metal roof is brown and will not give off a glare.

**Odor:** This will not be an issue in any way.

**Fumes and vibration on adjoining property:** during construction or after I do not see any reason to be concerned about any fumes or vibration. Nothing will be preformed on our property that will cause vibrations or give off fumes.

## Special Use Permit

### **A discussion of the general compatibility with adjacent and other properties in the district:**

Since we purchased the property several years ago, my wife and I reconstructed the house and brought everything up to code. We built a detached garage, which was done this year. We have clean up the property, which was filled with junk and debris and we now propose to build this shop/barn to store some of our things used to maintain the property. If you look at the elevations on our plans it fits the area. Even though we are in the impact zone we still live in a rural area. Our property is surrounded by farmland and our proposed building will add to the area. The roof will be a brown metal and the siding will be weathered barn wood. Our property has lots of large trees, a very large garden, chicken coops and an orchard. The whole property gives a feel of country living and that is what we are going for. Please consider giving us this special use permit so that we can utilize our property, as we desire.

# Aerial Photo Map

Reference Only



SU1

SU1

SU1

4002 3300

SU1

3352 4000

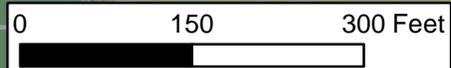
3350 4000  
SU1

4000 N

SU1

SU1  
Wyke St

Daybreak Rd



Aerial Photo - April 2016

# Aerial Photo Map

Reference Only

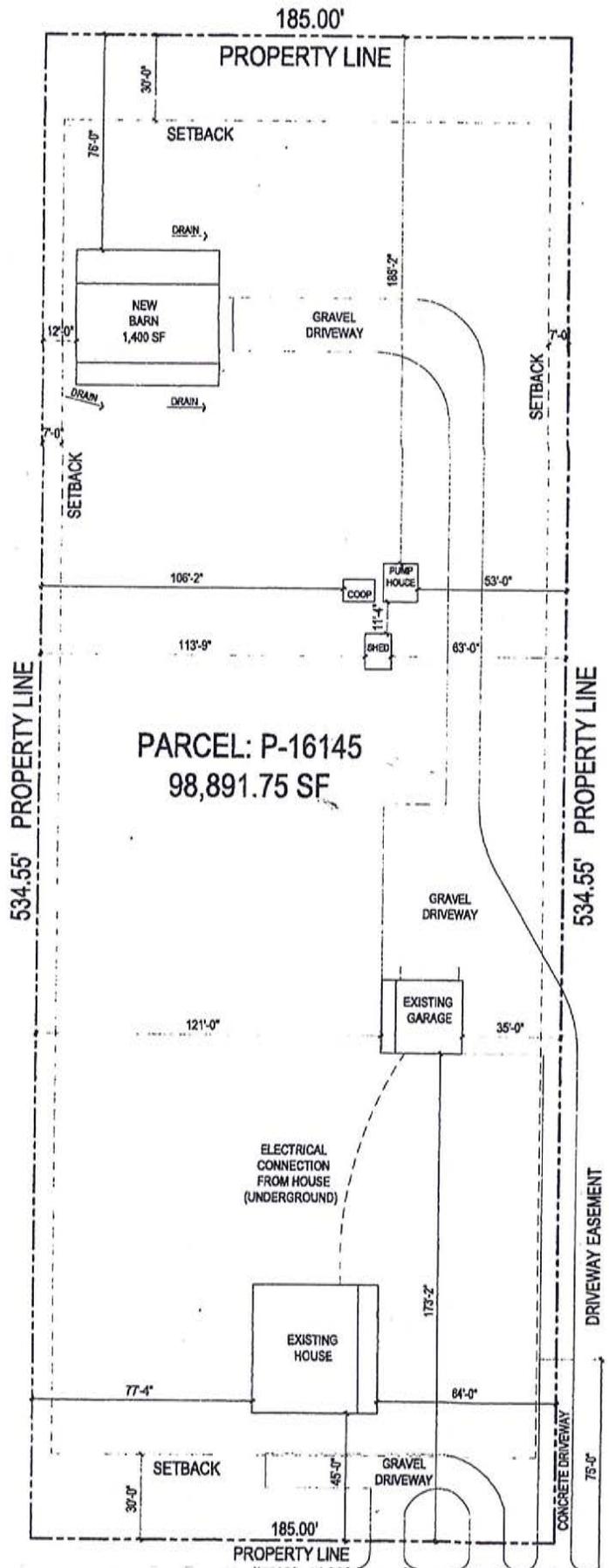


3350 4000

3352 4000

0 150 300 Feet

Aerial Photo - April 2016



4000 NORTH - FALLS AVENUE





Frontage along Falls Ave East



Driveway to the rear of property.



Access to rear property area and adjoining property.



Rear of the property. Location of Shop will be on the far right of picture.





Public Hearing: **TUESDAY, NOVEMBER 8, 2016**

To: Planning and Zoning Commission

Presenter: Jonathan Spendlove, Planner I

Editor: Renee Carraway-Johnson, Zoning Administrator

Author: Jonathan Spendlove

## ITEM IV-3

**Request:** Requests for a **Zoning District Change and Zoning Map amendment** from R-4 to C-1 for the undeveloped property on Filer Avenue West and located west of 515 Washington Street North. c/o Dan & Troy Willie on behalf of Oasis Stop N Go (app.2823)

**Time Estimate:**

The applicant's presentation may take up to ten (10) minutes. Staff presentation will be approximately five (5) minutes.

**Background:**

<b>Applicant:</b>	<b>Status:</b> Lease	<b>Size:</b> 0.16 +/- Acres ~6930 sqft
Dan & Troy Willie 4055 Canyon Ridge Drive Twin Falls, ID 83301	<b>Current Zoning:</b> R-2	<b>Requested Zoning:</b> C-1, Highway Commercial
	<b>Comprehensive Plan:</b> Residential Business	<b>Lot Count:</b> portion of Lots 3, 4 5 & 6 Twin Falls Pickets Subdivision
	<b>Existing Land Use:</b> Undeveloped Parcel	<b>Proposed Land Use:</b> Parking area for existing Convenience Store/Gas Station
<b>Representative:</b>	<b>Zoning Designations &amp; Surrounding Land Use(s)</b>	
EHM Engineers, Inc. Dave Thibault 621 North College Rd, Suite 100 Twin Falls, ID 83301 734-4888 <a href="mailto:dthibault@ehminc.com">dthibault@ehminc.com</a>	<b>North:</b> R-4 , Residential	<b>East:</b> C-1, Commercial Business; Oasis Stop-n-Go
	<b>South:</b> Filer Ave W, R-4; residence	<b>West:</b> R-4, Residential.
	<b>Applicable Regulations:</b> 10-1-4, 10-1-5, 10-4-4, 10-4-8, 10-14-1 through 9	

**Approval Process:**

At the conclusion of this Public Hearing, the Planning Commissioners will be asked to make a recommendation on the requested zoning district change and zoning map amendment of the property. The recommendation will be automatically scheduled for a public hearing before the City Council for a decision on this request.

The City Council is asked to make a decision on the requested zoning district change and zoning map amendment of the property. If the request is approved an ordinance is later presented to the City Council for adoption. **Upon adoption of the ordinance it is published and the maps are officially amended.**

**Budget Impact:**

Approval of this request may have an impact the city budget upon utilization of the site for commercial development.

**Regulatory Impact:**

After a public hearing before the Planning and Zoning Commission on the zoning request the Commission is tasked with making a recommendation to the City Council. The zoning request with the Commission's recommendation is scheduled for public hearing before the City Council who is asked for a decision. Approval of this request will allow development to occur in compliance with the amended zoning change and zoning map amendment.

## History:

This parcel is part of the Picketts Subdivision, which was recorded around 1938. Over the years, properties to the East and South, along Washington Street have been rezoned and developed with Commercial Businesses or Professional Offices. In 2009 the Comprehensive Plan identified this area as appropriate for Residential Business uses.

The lot/parcel in question has not contained a building according to our records, and is merely a portion of the original Lot 5 of the Picketts Subdivision.

The building on the corner was constructed in 1985 originally as a Circle K Food Store. In 1999 it was converted to a Convenience Store with an associated Gas Station and has been in continuous operation since that time.

## Analysis:

This is a request for a **Zoning District Change and Zoning Map Amendment** to rezone one (1) property from R-4; Residential to C1; Commercial Highway. The property is 0.16 +/- acres and is located one lot west of the current Oasis Stop-n-Go Convenience Store and Gas Station at 515 Washington St N. This property does not have an official address as it is undeveloped.

The applicant states in their narrative that the rezone request stems from the desire to utilize the area for additional parking for their convenience store/gas station. Even though adequate parking is located North of the store, there are increasing numbers of people who utilize the Southern and Western areas either by habit or convenience.

The Washington Street North corridor was deemed appropriate for professional office use under the 1993-1994 Comprehensive Plan and Future Land Use Map. In 2009 the entire Comprehensive Plan including the Future Land Use Map was completely revised. The new plan designated this area as appropriate for Residential Business Uses.

Many of the properties along Washington were previously Zoned with the C-1 Designation when the City departed from the C-2 and C-3 Designations. With the adjacent property to the East having the C-1 Designation, it is not beyond a reasonable bid to request the C-1 designation be extended one more lot.

In reviewing a request for a Zoning District Change and Zoning Map Amendment the Commission has two (2) main tasks: **1-** to determine whether the request is in conformance with the Comprehensive Plan and **2-** to evaluate the request to determine the extent and nature of the amendment requested.

*The Comprehensive Plan indicates this corridor as appropriate for Residential Business uses. There is no development plan to evaluate at this time. Any changes will require a full review by staff to determine the extent and nature of the changes. Any change shall comply with the purpose, uses and development standards of the C-1 Zoning District prior to development.*

To make a positive recommendation, the Commission must determine that **1**- the request is in conformance with the Comprehensive Plan and **2**- the extent and nature of changing the zoning of this property to the Commercial Highway District would allow land development that would be compatible with and not detract from the surrounding area.

**Conclusion:**

The Commission is asked to make a recommendation to the City Council on this request. The Council's decision may be to deny the request, approve the request as presented or request additional information be provided.

**Attachments:**

1. Letter of Request
2. Zoning Vicinity
3. Aerial Map
4. Comprehensive Plan – Future Land Use Map
5. Site Photos



September 16, 2016

City of Twin Falls  
Attn: Renee Carraway-Johnson  
P.O. Box 1907  
324 Hansen Street E  
Twin Falls, ID 83303

RE: Oasis Stop N Go Rezone Request

Dear Renee,

Please consider this a formal request to consider the proposed rezone of property located within Residential Medium Density District (R-4) Zone. The subject property is currently an undeveloped lot and part of the Oasis Stop N Go at 515 Washington Street North in Twin Falls, Idaho 83301. Mr. Dan Willie is the owner of Oasis Stop N Go and intends to develop this property into additional parking area. He is applying for a Commercial Highway District (C-1) rezone of these properties. The purpose of this request is to provide a zoning overlay that will allow the development and growth of this commercial business. A pre-application meeting has been held to discuss this matter.

Adjacent to the subject property is Oasis Stop N Go. There are commercial businesses to the east and south of the Oasis Stop N Go. On the north, south, and west side of the subject property is residential housing.

The subject property is currently an undeveloped lot. There is access to utilities. The plan for development of the subject property will include the construction and development of parking lot areas. Improvements will also include installation and relocation of utilities in conflict with revised plans.

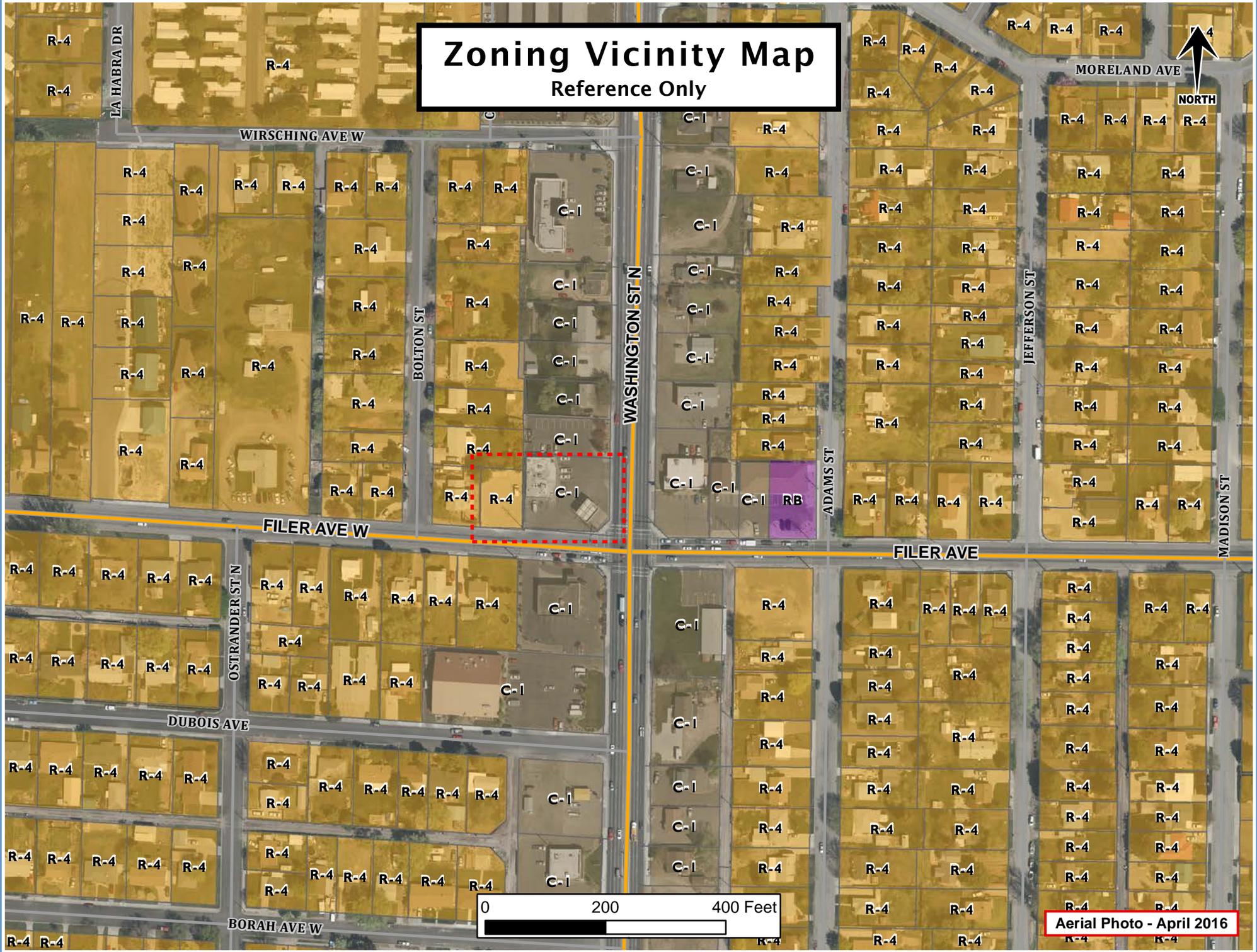
Thank you for your assistance in this matter. Do not hesitate to contact me with any questions regarding this application. Please notify me of the time and date for the scheduled hearing.

Sincerely,

David Thibault, P.E.  
EHM Engineers, Inc.

# Zoning Vicinity Map

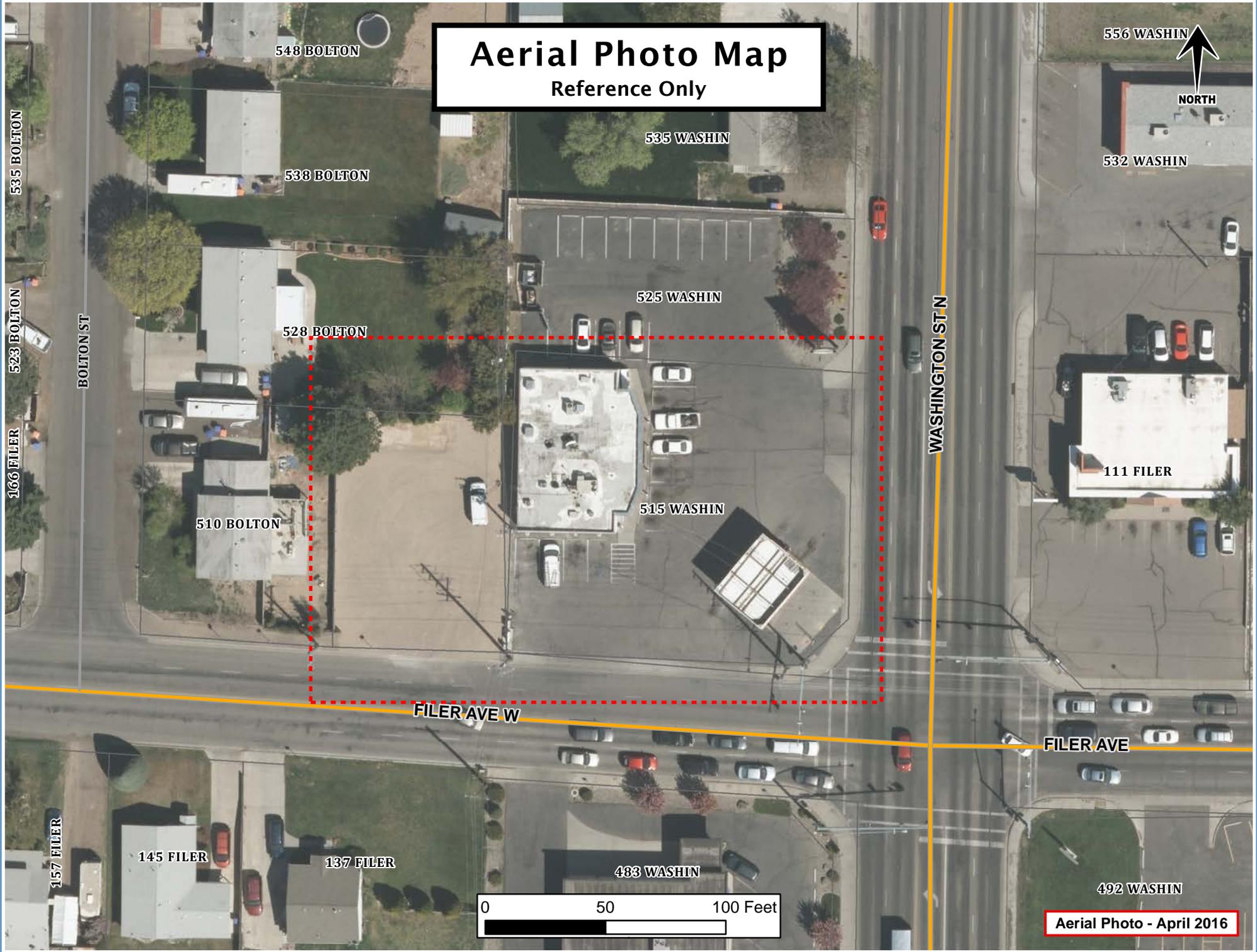
Reference Only



Aerial Photo - April 2016

# Aerial Photo Map

Reference Only



535 BOLTON

523 BOLTON

166 FILER

BOLTON ST

548 BOLTON

538 BOLTON

528 BOLTON

510 BOLTON

535 WASHIN

525 WASHIN

515 WASHIN

FILER AVE W

WASHINGTON ST N

556 WASHIN

532 WASHIN

111 FILER

FILER AVE

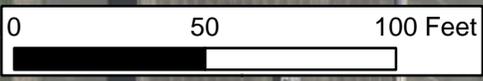
157 FILER

145 FILER

137 FILER

483 WASHIN

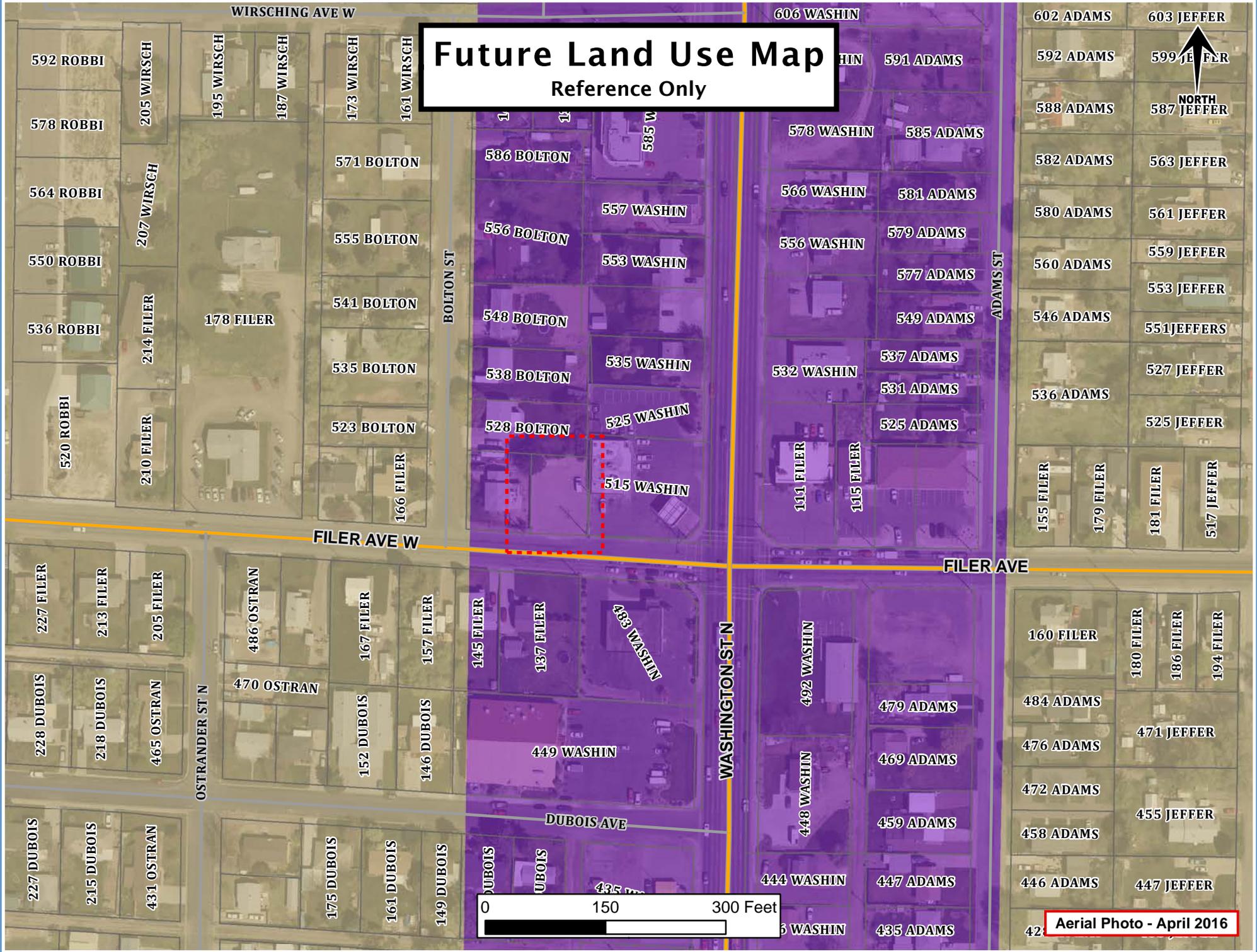
492 WASHIN



Aerial Photo - April 2016

# Future Land Use Map

Reference Only



Aerial Photo - April 2016



Frontage along Filer Ave West. Residential homes on the Left side of Photo.



Parking area on the North Side of Building.



Public Hearing: **TUESDAY, November 8, 2016**

To: Planning and Zoning Commission

Presenter: Jonathan Spendlove, Planner I

Editor: Renee Carraway-Johnson, Zoning Administrator

Authors: Jonathan Spendlove

## AGENDA ITEM IV-4

**Request:** Requests for a **Special Use Permit** to expand by more than 25% an existing convenience store/gas station on property located at 515 Washington Street North. c/o Dan & Troy Willie on behalf of Oasis Stop N Go (app.2824)

**Time Estimate:**

The applicant’s presentation may take up to ten (10) minutes. Staff presentation will be approximately five (5) minutes.

**Background:**

<b>Applicant:</b>	<b>Status:</b> Lease	<b>Size:</b> 0.16 +/- Acres ~6930 sqft
Dan & Troy Willie 4055 Canyon Ridge Drive Twin Falls, ID 83301	<b>Current Zoning:</b> C-1 & R-2	<b>Requested Zoning:</b> Special Use Permit
	<b>Comprehensive Plan:</b> Residential Business	<b>Lot Count:</b> portion of Lots 3, 4 5 & 6 Twin Falls Pickets Subdivision
	<b>Existing Land Use:</b> Undeveloped	<b>Proposed Land Use:</b> Parking area for Convenience Store
<b>Representative:</b>	<b>Zoning Designations &amp; Surrounding Land Use(s)</b>	
EHM Engineers, Inc. Dave Thibault 621 North College Rd, Suite 100 Twin Falls, ID 83301 734-4888 <a href="mailto:dthibault@ehminc.com">dthibault@ehminc.com</a>	<b>North:</b> C-1; Residential	<b>East:</b> Washington Street N; C-1, Commercial Business
	<b>South:</b> R-4 & C-1; Filer Ave W, Residential & Commercial Business	<b>West:</b> R-4, Residential.
	<b>Applicable Regulations:</b> 10-1-4, 10-1-5, 10-4-8,10-11-1 thru 8, 10-13	

**Approval Process:**

The Special Use Permit process requires a public hearing to be held in which interested persons have the opportunity to be heard with regards to the application.

Within thirty (30) days after the public hearing, the Commission shall approve, conditionally approve, or disapprove the application as presented during the hearing. If conditions are placed on the permit, the Administrator shall issue a special use permit listing the specific conditions specified by the Commission for approval. Conditions shall be implemented within 6 months or the permit if void.

If an applicant or interested party appeals the decision of the Commission with fifteen (15) days from the date of action (when the Findings of Fact are signed), the City Council shall set a hearing date to consider all information, testimony and minutes of the previous hearing to reach a decision on the appeal.

**Budget Impact:**

Approval of this request will have a negligible impact on the City budget.

**Regulatory Impact:**

Approval of this request will allow the applicant to proceed with a special use permit to expand his Gasoline Service Station business onto new property.

**A special use permit is for zoning purposes only.** Other permits such as sign, building, electrical or plumbing permits, etc. may be required. All facilities must comply with all Building and Fire Code Regulations.

**History:**

This parcel is part of the Picketts Subdivision, which was recorded around 1938. Over the years, properties to the East and South, along Washington Street have been rezoned and developed with Commercial Businesses or Professional Offices. In 2009 the Comprehensive Plan identified this area as appropriate for Residential Business uses.

The lot/parcel in question is zoned R-4 and has not contained a building according to our records, and is merely a portion of the original Lot 5 of the Picketts Subdivision.

The building on the corner was constructed in 1985 originally as a Circle K Food Store. In 1999 it was converted to a Convenience Store with an associated Gas Station and has been in continuous operation since that time.

**Analysis:**

This is a request for a **Special Use Permit** to expand the use located at the NW corner of Washington St N and Filer Ave W. The property being requested to develop is 0.16 +/- acres and is located one lot west of the current Oasis Stop-n-Go Convenience Store & Gas Station located at 515 Washington St N. This lot is zoned R-4. This property does not have an official address as no building has been erected on the property.

This lot is zoned R-4. A commercial business is not permitted on this property under this zoning. On this P&Z Agenda this evening is a request to rezone this lot to C-1. A condition the special use permit may not be granted unless the lot is rezoned from R-4 to C-1 and there is an adopted and codified Ordinance would be appropriate.

The applicant has expressed in their narrative that the rezone request stems from the desire to utilize the area for additional Parking. Even though adequate parking is located North of the store, there are increasing numbers of people who utilize the Southern and Western areas either by habit or convenience.

**Per City Code 10-4-8:** Gasoline Service stations require a Special Use Permit to be established or expanded onto newly acquired properties.

**Per City Code 10-11-1 thru 8:** Required improvements include hard surfacing, striping, access, screening, landscaping, drainage and storm water. These required improvements are typically evaluated and enforced at the time of building permit submittal. Since this particular project is not anticipated to have a building, it would be prudent to place a condition requiring City Staff approval for all applicable improvements prior to installation.

**Possible Impacts:** The addition of a parking area for the convenience store will have an impact on the adjacent and neighboring property owners. These impacts will come in the form of increased noise, and light intrusion due to the closer proximity of commercial activities. The noise will be from vehicles entering and exiting the area and the security lighting for the additional parking area. It would be appropriate to place a condition requiring all lighting to be downward facing and light sources to be shielded from neighboring properties.

An additional impact to this proposal is a positive one. The current location is extremely close to the intersection. This parking area will allow a separate approach further from the intersection thus making the area slightly safer for motorists attending this business.

**Conclusion:**

Should the Commission grant this request as presented; staff recommends approval be subject to the following conditions:

1. Subject to a Rezone from R-4 to C-1 on this lot being approved and an ordinance being recorded.
2. Subject to the site plan amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with applicable City Code Requirements and Standards.
3. Subject to all lighting being downward facing and the light source being shielded from adjoining residential properties.
4. Subject to screening being installed between residential and commercial properties. Prior to installation the plan shall be approved by City Staff.
5. Subject to compliance with Gateway Arterial Landscaping requirements. Prior to installation the plan shall be approved by City Staff.
6. Subject to all improvement plans being approved by City Staff prior to installation.
7. No Use of the undeveloped area until all the required improvements are completed per City Staff.

**Attachments:**

1. Letter of request
2. Zoning Vicinity Map
3. Aerial Photo Map
4. Applicant Submitted Site Plan
5. Site Photos

## **Oasis Stop N Go- Filer/Washington**

### **Special Use Permit Attachment**

The proposed subject property is approximately 6,930 square foot undeveloped lot located in Twin Falls Picketts Subdivision, E 69.18' x 100' of W 174.18' Lot 5, Section 8, Township 10 South, Range 17 East of Boise Meridian Twin Falls County, Idaho. The front entrance to the property and primary traffic access is off Filer Avenue West. There is access to the parking lot from Oasis Stop N Go on the east side of the subject property. It is not anticipated that there will be a change to traffic flow on public road ways.

The adjacent facility to the subject property will operate 24 hours, 7 days a week. Vehicle parking is anticipated within the fenced lot of the subject property and adjacent facility to allow larger vehicles and trailers to have plenty of room.

Staffing at this location currently consists of 10 employees total, 5 full time and 5 part time cashier/customer service.

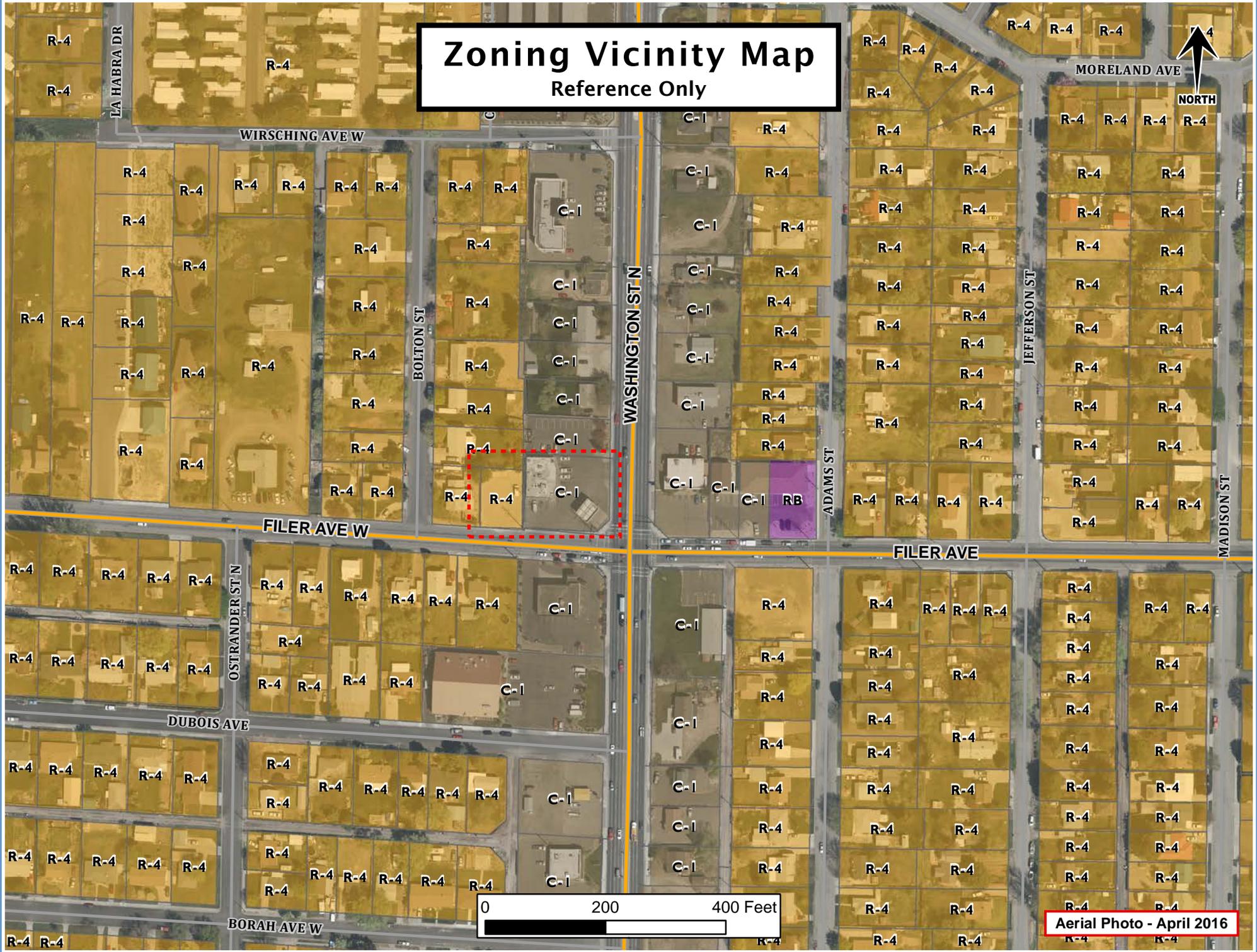
The lot will be landscaped per City of Twin Falls requirements, according to City Code.

There will be minimal impact to the noise, glare, and odor of the surrounding area with the majority of the traffic anticipated to function the same. Fumes and vibration on adjoining properties are expected to be minimal.

The existing use of the lot is a vacant undeveloped lot, which has been set aside for the expansion of Oasis Stop N Go.

# Zoning Vicinity Map

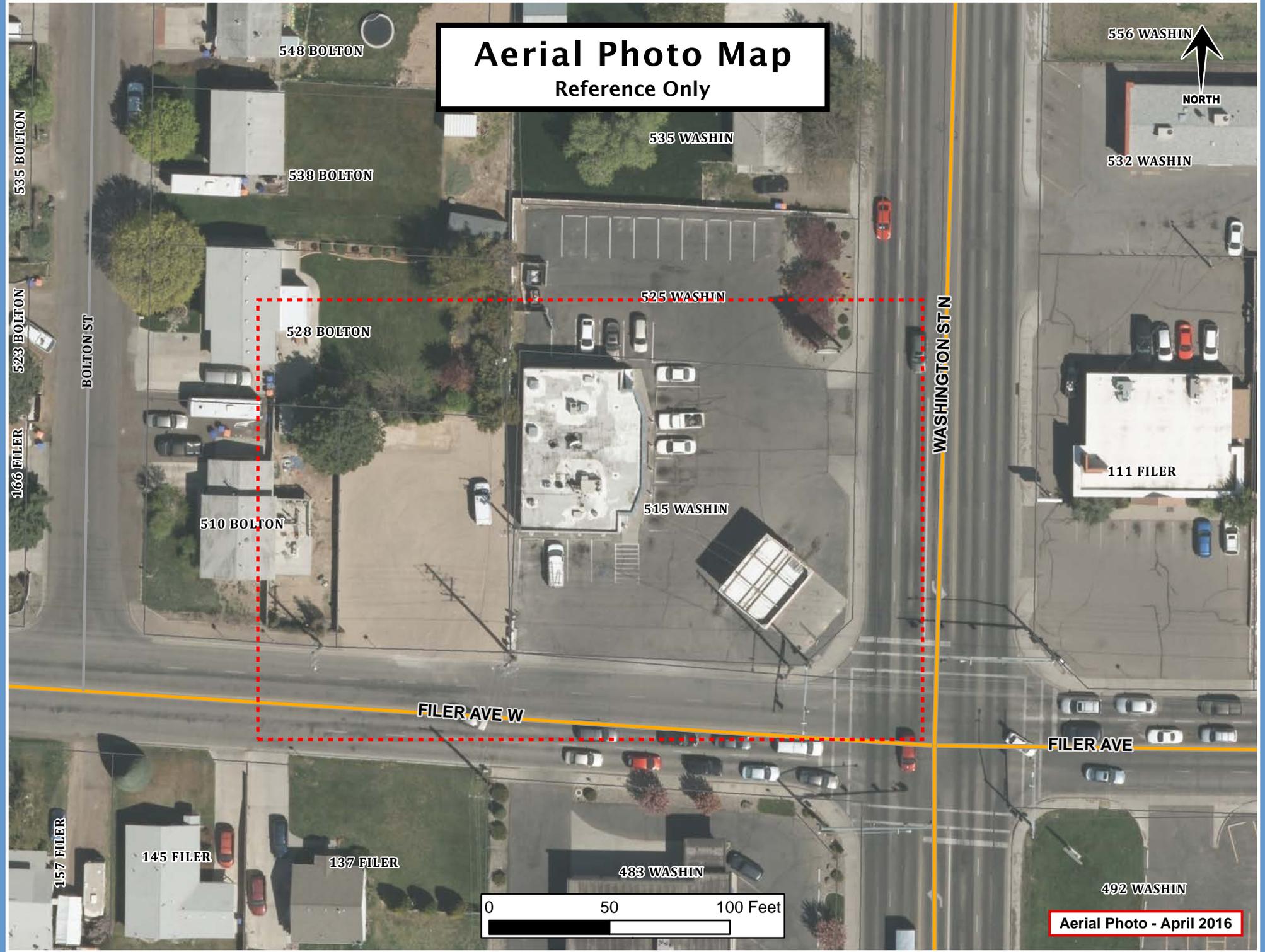
Reference Only



Aerial Photo - April 2016

# Aerial Photo Map

Reference Only



548 BOLTON

538 BOLTON

535 WASHIN

556 WASHIN

532 WASHIN

535 BOLTON

523 BOLTON

166 FILER

BOLTON ST

528 BOLTON

525 WASHIN

WASHINGTON ST N

111 FILER

510 BOLTON

515 WASHIN

FILER AVE W

FILER AVE

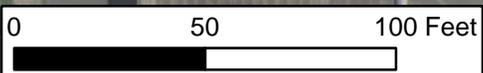
157 FILER

145 FILER

137 FILER

483 WASHIN

492 WASHIN

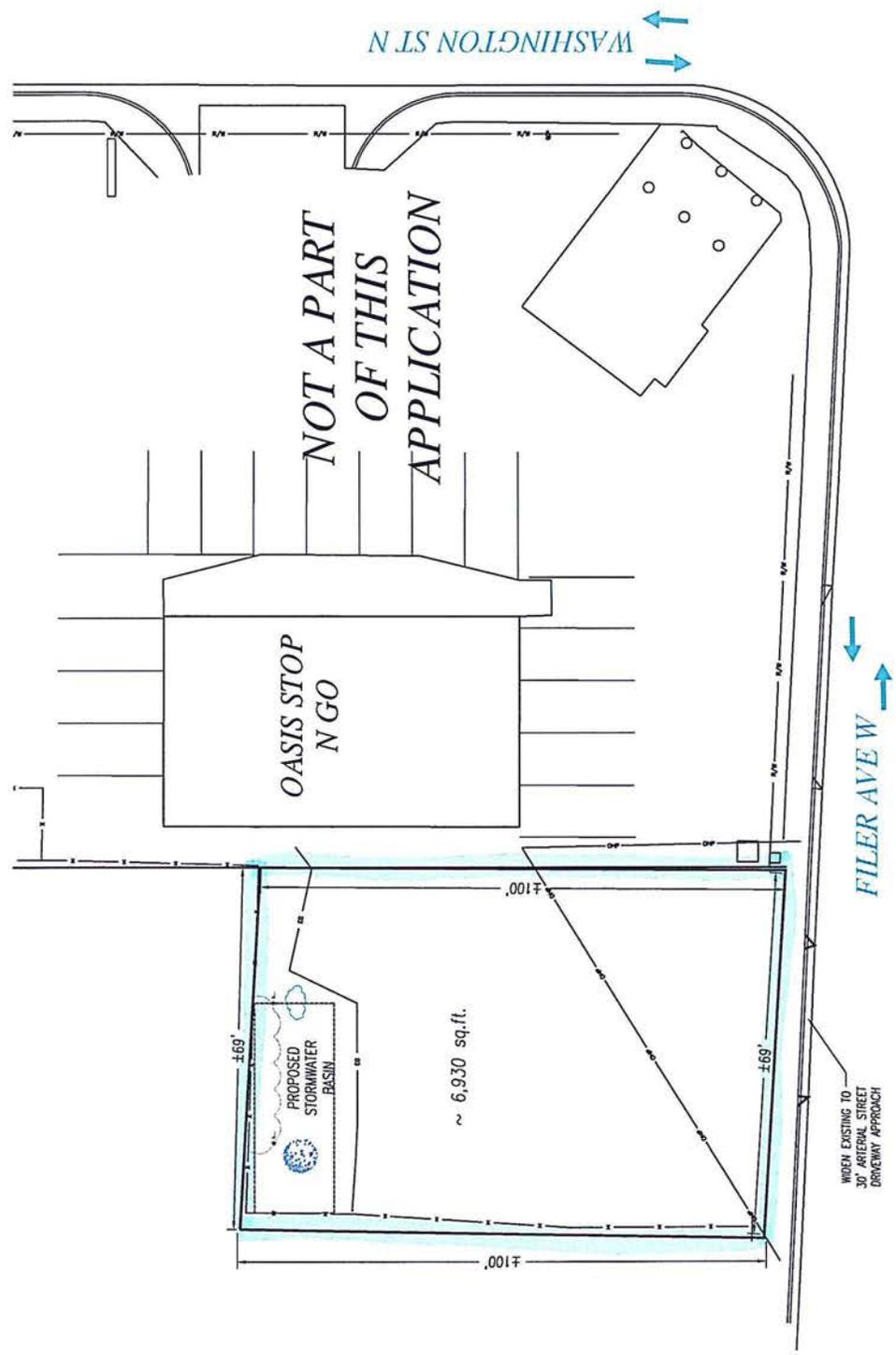


Aerial Photo - April 2016

SCALE 1"=34'

TWIN FALLS  
 PICKETS SUBD.  
 E 69.18' x 100'  
 OF  
 W 174.18'  
 OF  
 LOT 5, (8-10-17 NE)

DAN WILLIE  
 4055 CANYON RIDGE DRIVE  
 TWIN FALLS, ID. 83301



**DRAINAGE CALCULATIONS:**

STORMWATER RETENTION AREA 6,930 SF  
 IMPERVIOUS  $6,930 \cdot 1.6/12 \cdot 0.95 = 877.8$  cf  
 TOTAL RETENTION REQUIRED = 878 cf  
 PROPOSED BASIN (40'x15'x1.5') = 900 CF



Frontage along Filer Ave West. Residential homes on the Left side of Photo.



Parking area on the North Side of Building.



Public Hearing: **TUESDAY, November 8, 2016**

To: Planning and Zoning Commission

Presenter: Jonathan Spendlove, Planner I

Editor: Renee Carraway-Johnson, Zoning Administrator

Author: Jonathan Spendlove

## AGENDA ITEM IV-5

**Request:** Requests for a **Special Use Permit** to expand by more than 25% an existing convenience store/gas station on property located at 890 Washington Street South. c/o Dan & Troy Willie on behalf of Oasis Stop N Go (app.2825)

**Time Estimate:**

The applicant’s presentation may take up to ten (10) minutes. Staff presentation will be approximately five (5) minutes.

**Background:**

<b>Applicant:</b>	<b>Status:</b> Lease	<b>Size:</b> 1.046 +/- Acres
Dan & Troy Willie 4055 Canyon Ridge Drive Twin Falls, ID 83301	<b>Current Zoning:</b> C-1	<b>Requested Zoning:</b> Special Use Permit
	<b>Comprehensive Plan:</b> Neighborhood Center	<b>Lot Count:</b> 1 lot
	<b>Existing Land Use:</b> Undeveloped	<b>Proposed Land Use:</b> Parking area for Convenience Store
<b>Representative:</b>	<b>Zoning Designations &amp; Surrounding Land Use(s)</b>	
EHM Engineers, Inc. Dave Thibault 621 North College Rd, Suite 100 Twin Falls, ID 83301 734-4888 <a href="mailto:dthibault@ehminc.com">dthibault@ehminc.com</a>	<b>North:</b> C-1 , Residential	<b>East:</b> Washington Street S; R-2, Residential
	<b>South:</b> 3700 North Road/Orchard Drive <b>W;</b> C-1, Vacant Commercial Property	<b>West:</b> R-4, Residential
	<b>Applicable Regulations:</b> 10-1-4, 10-1-5, 10-4-8,10-11-1 thru 8, 10-13	

**Approval Process:**

The Special Use Permit process requires a public hearing to be held in which interested persons have the opportunity to be heard with regards to the application.

Within thirty (30) days after the public hearing, the Commission shall approve, conditionally approve, or disapprove the application as presented during the hearing. If conditions are placed on the permit, the Administrator shall issue a special use permit listing the specific conditions specified by the Commission for approval. Conditions shall be implemented within 6 months or the permit if void.

If an applicant or interested party appeals the decision of the Commission with fifteen (15) days from the date of action (when the Findings of Fact are signed), the City Council shall set a hearing date to consider all information, testimony and minutes of the previous hearing to reach a decision on the appeal.

**Budget Impact:**

Approval of this request will have a negligible impact on the City budget.

**Regulatory Impact:**

Approval of this request will allow the applicant to proceed with a special use permit to expand his Gasoline Service Station business onto new property.

A special use permit is for zoning purposes only. Other permits such as sign, building, electrical or plumbing permits, etc. may be required. All facilities must comply with all Building and Fire Code Regulations.

**History:**

This parcel is a remnant parcel of land within the City Limits of Twin Falls. It has been zoned Commercial since at least 1977 when the Grocery Store was approved and built on the corner of Washington Street South and Orchard Drive.

The building on the corner was constructed originally as a Circle K Food Store. In 1984 it was converted to a Convenience Store with an associated Gas Station Canopy and has been in continuous operation since that time.

**Analysis:**

This is a request for a **Special Use Permit** to expand an existing Convenience Store and Gas Station by more than 25% with the development of additional parking for the customers. This parcel is 1.046 +/- acres and is located adjacent on the westerly and northerly boundary of the current Oasis Convenience Store and Gas Station at 890 Washington St S. This property does not have an official address as no building has been erected on the property.

The applicant has expressed in their narrative that the **Special Use Permit** request stems from the desire to utilize the area for additional Parking. Even though adequate parking is located on the current site, there are increasing numbers of people who utilize the Northern and Western areas either by habit or convenience. The undeveloped areas are being utilized at this time. A condition the undeveloped areas shall not be used until the paving and improvements are completed should be a condition of approval.

**Per City Code 10-4-8:** Gasoline Service stations require a Special Use Permit to be established or expanded onto newly acquired properties.

**Per City Code 10-11-1 thru 8:** Required improvements include hard surfacing, striping, access, screening, landscaping, drainage and storm water. These required improvements are typically evaluated and enforced at the time of building permit submittal. Since this particular project is not anticipated to have a building, it would be prudent to place a condition requiring City Staff approval for all applicable improvements prior to installation.

**Possible Impacts:** The addition of a parking area for the convenience store will have an impact on the adjacent and neighboring property owners. These impacts will come in the form of increased noise, and light intrusion due to the closer proximity of commercial activities. The noise will be from vehicles entering and exiting the area and the security lighting for the additional parking area. It would be appropriate to place a condition requiring all lighting to be downward facing and light sources to be shielded from neighboring properties.

An additional impact to this proposal is a positive one. The current location is extremely close to the intersection. This parking area will allow a separate approach further from the intersection thus making the area slightly safer for motorists attending this business.

**Conclusion:**

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**Attachments:**

1. Letter of request
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## Oasis Stop N Go- Orchard/Washington

### Special Use Permit Attachment

The proposed subject property is approximately 6,930 square foot undeveloped lot located in Twin Falls acres inside Tax #482, ESC N 75', EXC SE, .56A, EXC E 33' & S 25', Section 20, Township 10 South, Range 17 East of Boise Meridian Twin Falls County, Idaho. The entrances to the property and primary traffic accesses are off Washington Street South and Orchard Drive West. There is access to the parking lot from Oasis Stop N Go on the north and east side of the subject property. It is not anticipated that there will be a change to traffic flow on public road ways.

The adjacent facility to the subject property will operate 24 hours, 7 days a week. Vehicle parking is anticipated within the fenced lot of the subject property and adjacent facility to allow for additional parking to customers, larger vehicles, and trailers.

Staffing at this location currently consists of 8 employees total, 4 full time and 4 part time cashiers/customer service.

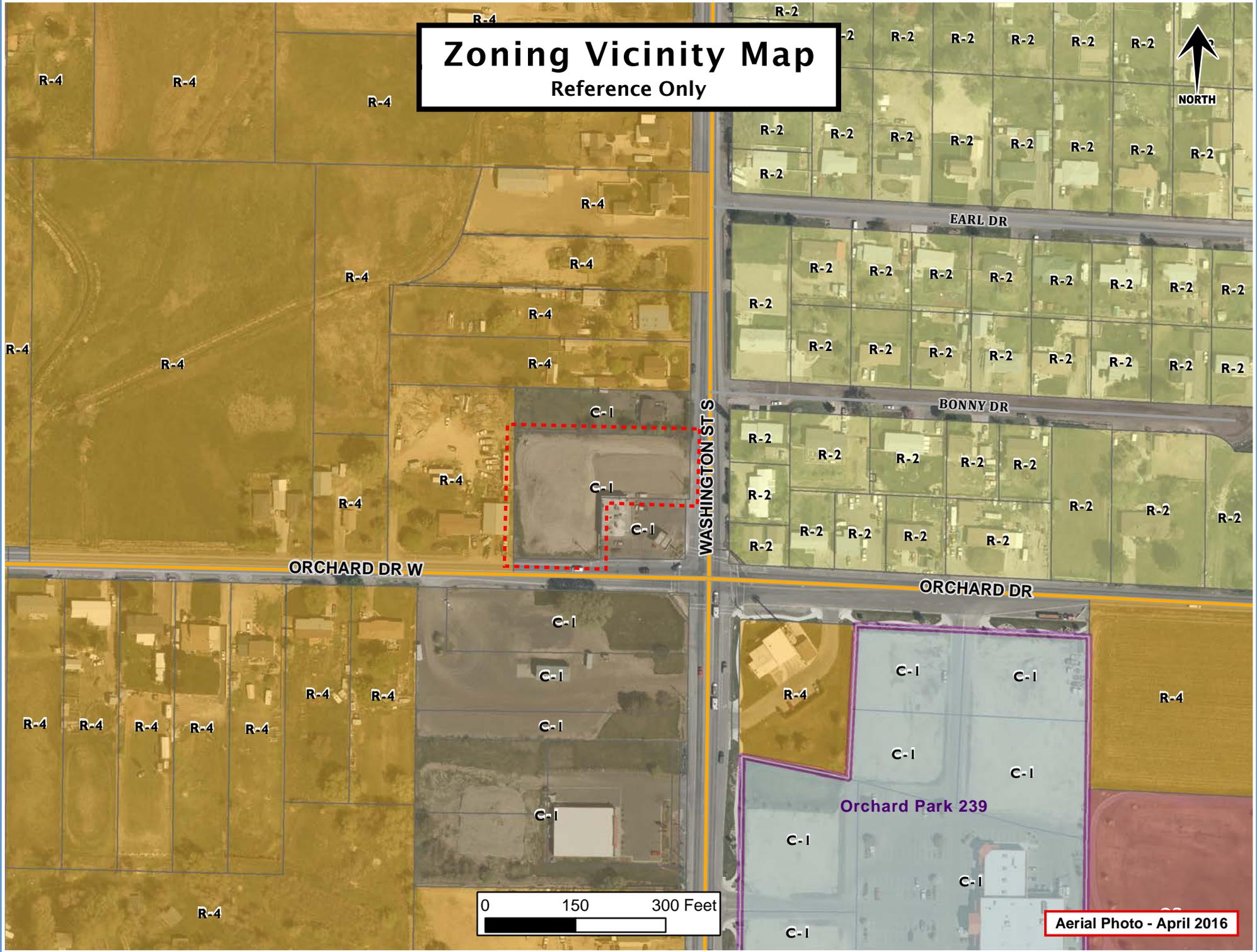
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The existing use of the lot is a vacant undeveloped lot, which has been set aside for the expansion of Oasis Stop N Go.

# Zoning Vicinity Map

Reference Only



Aerial Photo - April 2016

# Aerial Photo Map

Reference Only



908 WASHIN

168 ORCHAR

890 WASHIN

ORCHARD DR W

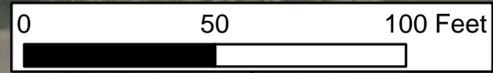
WASHINGTON ST S

103 BONNY

919 WASHIN

115 ORCHAR

ORCHARD DR



Aerial Photo - April 2016

924 WASHIN





Frontage along Washington St South



Current Gravel Area on North Side of Building.



Corner of Orchard and Washington



Frontage along Orchard Drive, Mounds of fill dirt have been deposited.